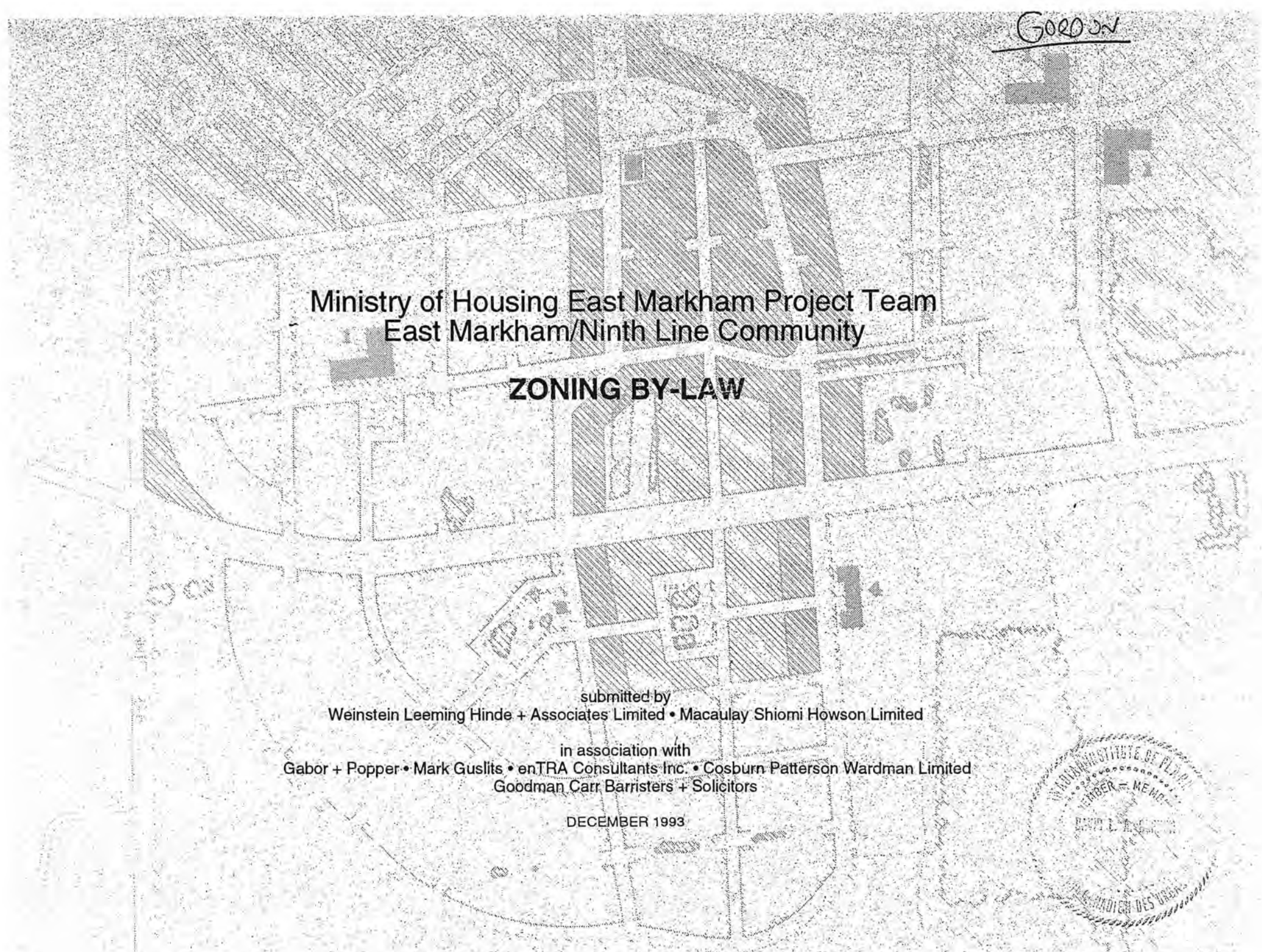
GORDON

Ministry of Housing East Markham Project Team
East Markham/Ninth Line Community

ZONING BY-LAW



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CANADIAN INSTITUTE OF PLANNERS
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EAST MARKHAM/NINTH LINE COMMUNITY ZONING BY-LAW

TOWN OF MARKHAM

BY-LAW NO.

THE EAST MARKHAM/NINTH LINE AREA BY-LAW

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Schedule "A"

EAST MARKHAM/NINTH LINE COMMUNITY ZONING BY-LAW

TOWN OF MARKHAM

BY-LAW NO.

A by-law to regulate the use of land and the erection or use of buildings or structures and to regulate the height, location, size, spacing, character and use of buildings or structures in a defined areas of the Town of Markham.

THE COUNCIL OF THE CORPORATION OF THE TOWN OF MARKHAM HEREBY ENACTS AS FOLLOWS:

SECTION 1 - TITLE AND AREA RESTRICTED

1.1 This by-law shall be known as "The East Markham/Ninth Line Area By-law".

1.2 Schedule 'A' attached hereto, defines the area to which the provisions of this by-law shall apply. Schedule 'A' shall form part of this by-law.

1.3 Table A attached hereto, identifies certain zone categories and the building types permitted in each category. Table A shall form part of this by-law

1.3 Tables 1 to 13 inclusive attached hereto provide regulations for permitted building types. Tables 1 to 13 inclusive shall form part of this by-law.

EAST MARKHAM/NINTH LINE COMMUNITY ZONING BY-LAW

SECTION 2 - ZONE CATEGORIES

2.1 ESTABLISHMENT OF ZONES

For the purposes of this by-law, the following ZONES are established:

ZONE	SYMBOL
Neighbourhood General Zone	NG
Neighbourhood Centre Zone	NC
Neighbourhood Centre - Mixed Use Zone	NC-MU
Neighbourhood Centre - Required Retail Zone	NC-RR
Village General Zone	VG
Village Centre Zone	VC
Village Centre - Mixed Use Zone	VC-MU
Village Centre - Required Retail Zone	VC-RR
Central Spine Zone	CS
Central Spine - Mixed Use Zone	CS-MU
Central Core Zone	CC
Central Core - Required Retail Zone	CC-RR
Major Institutional/Open Space Zone	I

Neighbourhood Park/Public Square Zone	PS
Automotive Service Zone	AS
Light Industrial Zone	LM
Hospital District Zone	HD
Natural Environment Zone	NE
Major Open Space Zone	OS
Woodlot Zone	W
Buffer Zone	B
Holding Zone	H
Exceptions	

2.2 ZONING MAPS

The extent and boundaries of said ZONES are shown on Schedule 'A' attached hereto. Such ZONES may be referred to by the appropriate symbols.

2.3 ZONE REGULATIONS

No land shall be USED and no BUILDING or STRUCTURE shall be ERECTED, ALTERED, enlarged or used except in conformity with the zone regulations contained in Sections 5 to 12 inclusive, Table A and Tables 1 to 13 inclusive, of this by-law and all the other provisions of this by-law.

2.4 SPECIAL ZONES

Wherever a zone symbol on Schedule 'A' hereto is followed by a dash and a number or letter, such as "CS-1", or a set of brackets enclosing a special symbol, such as "(H)", the lands so zoned shall be subject to, and used in accordance with all the provisions of this By-law applicable to the zone represented by such symbol, except as otherwise specifically provided in the special regulations applicable to the site indicated by the number or special symbol.

SECTION 3 - INTERPRETATION

3.1 SCOPE

In interpreting and applying the provisions of this by-law, these provisions shall be held to be the minimum requirements adopted for the promotion of the health, safety, convenience and general welfare of the inhabitants of the Town.

3.2 INTERPRETATION OF ZONE BOUNDARIES

Where the boundary of any ZONE, as shown on Schedule 'A', is uncertain, the following provisions shall apply:

i) Where the ZONE boundary is indicated as following a STREET or LANE, the boundary shall be the centre line of such STREET or LANE.

ii) Where a ZONE boundary is indicated as approximately following LOT LINES shown on a registered plan of subdivision or LOTS registered in a Registry Office or Land Titles Office, the boundary shall follow such LOT LINES.

iii) Where a STREET, LANE, railroad or railway right-of- way, electrical transmission line right-of-way, or watercourse is shown on Schedule 'A', they shall, unless otherwise indicated, be included in the ZONE of the adjoining property on either side thereof.

iv) Where a STREET, LANE, railroad or railway right-of- way, electrical transmission line right-of-way, or watercourse is shown on Schedule 'A' and serves as a boundary between two different ZONES, a line midway on such STREET, LANE right-of-way or watercourse and extending in the general direction of the long division thereof shall be considered the boundary between ZONES unless specifically indicated otherwise.

v) Where a ZONE boundary is indicated as following the limits of the municipality, the limits shall be the boundary.

vi) Where none of the above provisions apply, the zone boundary shall be scaled from the attached schedule.

3.3 CERTAIN WORDS

In this by-law words used in the present tense include the future, words in the singular number include the plural; words in the plural include the singular number; the word "used" includes "arranged, designed, or intended to be used"; and the word "shall" is mandatory and not directory.

3.4 RESERVES

For the purposes of this by-law, a LOT or BLOCK separated from a street allowance by a 0.3 metre reserve shall be deemed to abut such street allowance.

SECTION 4 - GENERAL PROVISIONS

4.1 APPLICATION

The regulations of this section shall apply to all zones.

4.2 LICENCES, PERMITS AND COMPLIANCE WITH OTHER BY-LAWS

Nothing in this by-law shall exempt any person from complying with the requirements of other by-laws in force within the Town, or from obtaining any licence, permission, permit, authority or approval required by this or any other by-law of the Town or any other agency having legal jurisdication.

4.3 NONCONFORMING USES

4.3.1 Modifications

Where a BUILDING or STRUCTURE which was erected prior to the date of the passing of this by-law is used for a purpose not permitted in the zone in which it is situated, the BUILDING or STRUCTURE may be reconstructed, repaired or renovated provided that the reconstruction, repair or renovation does not involve any alteration of use or expansion of the BUILDING or STRUCTURE and the BUILDING or STRUCTURE continues to be used for the same purpose.

4.3.2 Discontinuation of Use

Any NONCONFORMING USE of land, BUILDING or STRUCTURE which is discontinued or unused for an interval of more than sixty (60) days shall not be resumed nor shall such NONCONFORMING USE be changed to any other NONCONFORMING USE.

4.4 PUBLIC USES

For the purpose of public service, any land may be used or any BUILDING or STRUCTURE may be ERECTED in any ZONE by a PUBLIC AUTHORITY, for the purpose of providing distribution and delivery of a service, or for the purpose of a use directly related thereto, provided that:

i) electric power-generating facilities, maintenance and works yards and depots, incinerators, industrial uses shall only be permitted in industrial zones;

ii) sanitary landfill sites shall not be permitted;

iii) no goods, material or equipment shall be stored in the open except as permitted by the provisions of the zone in which the use is permitted; and,

iv) such BUILDING or STRUCTURE is in substantial compliance with the HEIGHT, LOT COVERAGE and YARD regulations prescribed for such ZONE, except for electric power facilities.

4.5 CONSTRUCTION USES

Nothing in this by-law shall prevent the use of land for a scaffold or other temporary BUILDING or STRUCTURE, including a sales or rental office, incidental to construction in progress within the area until such time as the work has been finished or discontinued for a period of sixty (60) days or more.

4.6 REQUIREMENT FOR MUNICIPAL SERVICES

Notwithstanding any other provisions of this by-law, no lands shall be used and no BUILDING or STRUCTURE shall be ERECTED, located or used in any ZONE unless both a piped public water supply and public sanitary sewers are available or unless the Medical Officer of Health or the Ministry of Environment and Energy, as appropriate, has not approved the installation of well water supply facilities and private sewage disposal facilities.

4.7 PRIVATE HOME DAY CARE

i) Notwithstanding any other provisions contained within this by-law, PRIVATE HOME DAY CARE shall be permitted in any residential DWELLING UNIT except where the person providing the day care service has entered into an agreement with the Regional Municipality of York or a PRIVATE HOME DAY CARE agency licensed by the Ministry of Community and Social Services pursuant to the Day Nurseries Act, RSO 1990, in which case PRIVATE HOME DAY CARE shall be permitted in SINGLE DETACHED, SEMI-DETACHED, STREET TOWNHOUSE DWELLING UNITS and TOWNHOUSE DWELLING UNITS only.

ii) Notwithstanding any other provisions contained within this by-law, a PRIVATE HOME DAY CARE facility covered by an agreement with the Regional Municipality of York or a PRIVATE HOME DAY CARE agency licensed by the Ministry of Community and Social Services pursuant to the Day Nurseries Act, RSO 1990, shall not be located closer than 200 metres from another such facility, such distance being measured along the centre line of the street or streets including private streets within a townhouse development.

4.8 GROUP HOMES

4.8.1 Group Homes with Three to Six Residents

Subject to the provisions of Section 4.8, GROUP HOMES containing between three (3) and six (6) residents, exclusive of members of staff or the operator, and AUXILIARY GROUP HOMES, shall be permitted uses in SINGLE DETACHED DWELLINGS, SEMI-DETACHED DWELLINGS, DUPLEX DWELLINGS, STREET TOWNHOUSE DWELLINGS, TOWNHOUSE DWELLINGS, TRIPLEX DWELLINGS, QUADRAPLEX DWELLINGS and APARTMENT DWELLINGS wherever such DWELLINGS are permitted.

4.8.2 Group Homes with Seven to Ten Residents

Subject to the provisions of Section 4.8, GROUP HOMES containing between seven (7) and ten (10) residents, exclusive of members of staff or the operator, CORRECTIONAL GROUP HOMES and CRISIS CARE FACILITIES shall be a permitted use in SINGLE DETACHED DWELLINGS wherever such DWELLINGS are permitted.

4.8.3 Locational Regulations

Notwithstanding any other provisions of this by-law:

i) CORRECTIONAL GROUP HOMES and CRISIS CARE FACILITIES shall only be permitted on LOTS having both frontage and access exclusively on Highway 7, Ninth Line or Sixteenth Avenue;

ii) GROUP HOMES, AUXILIARY GROUP HOMES, CORRECTIONAL GROUP HOMES AND CRISIS CARE FACILITIES shall only be permitted on LOTS complying with the following minimum distance separation criteria, in relation to other LOTS containing such facilities, to be measured between the nearest LOT LINES:

	Between	Minimum Distance Separation
Group Home	and Group Home	800 m
Group Home	and Auxiliary Group Home	500 m
Group Home	and Correctional Group Home	800 m
Group Home	and Crisis Care Facility	800 m
Auxiliary Group Home	and Auxiliary Group Home	500 m
Auxiliary Group Home	and Correctional Group Home	800 m
Auxiliary Group Home	and Crisis Care Facility	800 m
Correctional Group Home	and Correctional Group Home	1600 m
Correctional Group Home	and Crisis Care Facility	1600 m
Crisis Care Facility	and Crisis Care Facility	1600 m

iii) Notwithstanding the provisions of Section 4.8.3 ii), in the case of SEMI-DETACHED DWELLINGS, DUPLEX DWELLINGS, TRIPLEX DWELLINGS, QUADRAPLEX DWELLINGS, STREET TOWNHOUSE DWELLINGS, TOWNHOUSE DWELLINGS AND APARTMENT DWELLINGS, two(2) AUXILIARY GROUP HOMES shall be permitted on the same LOT and/or within the same BUILDING provided that there is a minimum distance separation of 800 metres measured from the nearest LOT LINES between the subject LOT and any other LOT containing a GROUP HOME, AUXILIARY GROUP HOME, CORRECTIONAL GROUP HOME or CRISIS CARE FACILITY.

iv) The sum total mumber of GROUP HOMES, AUXILIARY GROUP HOMES, CORRECTIONAL GROUP HOMES and CRISIS CARE FACILITIES, inclusively, to be permitted in any Town of Markham municipal electoral ward shall not exceed a ratio of one (1) per 3000 resident population in that ward, up to a maximum cap of five (5) per ward.

v) The sum total number of CORRECTIONAL GROUP HOMES and CRISIS CARE FACILITIES for persons undergoing treatment or recovering form substance abuse, inclusively, to be permitted in the Town of Markham shall not exceed four (4), of which not more than two (2) shall be of a type other than a Phase I Open Custody Residence under the Children and Family Services Act or amendments thereto, and of which not more than one (1) shall be permitted in Wards 4 and 5 and the portion of Ward 6 east of McCowan Road in the the Town of Markham.

vi) The maximum numbers permitted in Section 4.8.3 iv) and v) shall be inclusive of any GROUP HOMES, AUXILIARY GROUP HOMES, CORRECTIONAL GROUP HOMES AND CRISIS CARE FACILITIES existing as of March 26, 1991.

vii) No BUILDING in the Town of Markham shall be used for a GROUP HOME, AUXILIARY GROUP HOME, CORRECTIONAL GROUP HOME or CRISIS CARE FACILITY unless such BUILDING and the LOT on which it is located comply with all the applicable ZONE provisions.

4.9 BOAT AND TRAILER PARKING

The owner or occupant of any LOT, BUILDING or STRUCTURE in a residential ZONE, may store or park not more than either: one (1) boat that does not exceed 7 metres in length with or without boat trailer (which itself shall not exceed 7 metres in length exclusive of hitch or tongue); or one (1) trailer that does not exceed 7 metres in length exclusive of hitch or tongue, upon such lot subject to the following regulations:

i) The storage or parking for any boat and/or trailer shall be exclusive of any PARKING SPACE required under this by-law; and,

ii) The boat or trailer must be stored or parked within a PRIVATE GARAGE or CARPORT or in a SIDE YARD except for a FLANKAGE YARD.

4.10 PERMITTED YARD ENCROACHMENT

Sills, belt courses, cornices, eaves, gutters, chimney breasts, pilasters and roof overhangs may project a maximum distance of 0.45 metres into any required YARD, and as permitted in the Tables.

4.11 FRONTAGE ON STREET

No person shall hereafter use any BUILDING, STRUCTURE or land and no person shall erect any BUILDING or STRUCTURE in any ZONE unless the LOT or parcel of land to be so used or upon which the BUILDING or STRUCTURE is to be ERECTED abuts or fronts on a STREET.

4.12 HOME OCCUPATION

A HOME OCCUPATION use shall comply with the following regulations in any zone where it is a permitted use:

i) it does not change the external residential character of the dwelling or garden suite building in which it is located;

ii) it does not create or become a public nuisance with respect to noise, traffic or parking

iii) the use is operated by the occupant of the dwelling;

iv) the employees shall also be occupants of the dwelling with a maximum of one employee being permitted to be a non-occupant;

v) the use does not involve any mechanical equipment except that ordinarily used for domestic, household or office tasks or recreational hobbies;

vi) there is no exterior storage of goods, materials or equipment or activities associated with the home occupation use; and,

vii) it does not occupy more than 50% of the GROSS FLOOR AREA of a dwelling.

SECTION 5 RESIDENTIAL, COMMERCIAL, INSTITUTIONAL AND INDUSTRIAL ZONE REGULATIONS

The regulations for the permitted building types in the residential, commercial, institutional and industrial zones identified in Table A are contained in Tables 1 to 13 inclusive attached hereto, which tables shall form part of this by-law. These regulations shall control the use of land and the erection, construction, alteration, enlargement and use of any building or structure permitted to be located on lands within each zone. No building or structure shall be permitted to be erected, altered, enlarged or used except in accordance with the regulations applicable to the Building Type shown as being permitted within that zone category in Table A.

TABLE A
PERMITTED BUILDING TYPES (CON'T)

ZONE	BUILDING TYPE												
	I	II	III	IV	V	VI	VII	VIII	IX	X	XI	XII	XIII
CENTRAL SPINE (CS)					▨	▨			▨				
CENTRAL SPINE-MIXED USE (CS-MU)							▨	▨	▨				
CENTRAL CORE (CC)									▨				
CENTRAL CORE-RETAIL FRONTAGE (CC-RR)									▨				
MAJOR INSTITUTIONAL/ OPEN SPACE (I)										▨			
NEIGHBOURHOOD PARK/ PUBLIC SQUARE (PS)											▨		
AUTOMOTIVE SERVICE (AS)												▨	
LIGHT INDUSTRIAL (LM)													▨

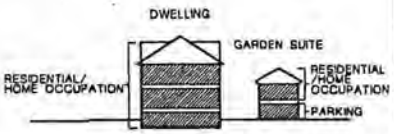
TABLE 1
BUILDING TYPE I-SINGLE DETACHED DWELLING

1.1 PERMITTED BUILDINGS AND STRUCTURES

1 SINGLE DETACHED DWELLING
ON 1 LOT
1 GARDEN SUITE BUILDING

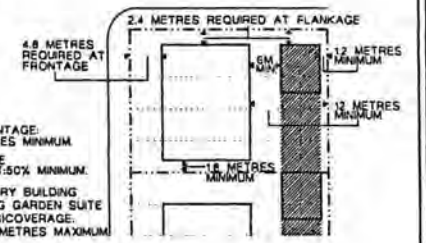
1.1.1 ONLY THOSE BUILDINGS AND STRUCTURES SHOWN IN THIS TABLE SHALL BE PERMITTED.
1.1.2 ACCESSORY BUILDINGS AND STRUCTURES SHALL ALSO BE PERMITTED.

1.2 PERMITTED USES



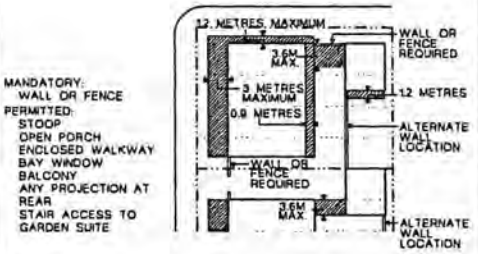
1.2.1 ONLY THOSE USES SHOWN IN THIS TABLE SHALL BE PERMITTED.
1.2.2 USES ACCESSORY TO THE PERMITTED USES SHALL ALSO BE PERMITTED,INCLUDING 1 DWELLING UNIT AND 1 ACCESSORY DWELLING UNIT IN A SINGLE DETACHED OR SEMI-DETACHED DWELLING UNIT.
1.2.3 A MINIMUM OF 50% OF THE GROUND FLOOR AREA OF A GARDEN SUITE BUILDING SHALL BE USED FOR PARKING.
2.2.4 GARDEN SUITE BUILDINGS SHALL ONLY BE PERMITTED ON LOTS WITH A MINIMUM FRONTAGE OF 9.6 METRES.
2.2.5 NO MORE THAN 40% OF THE DWELLINGS IN THE NG OR VG ZONES SHALL BE SINGLE DETACHED DWELLINGS.

1.3 BUILDING PLACEMENT


2.4 METRES REQUIRED AT FLANKAGE
4.8 METRES REQUIRED AT FRONTAGE
6M MIN.
1.2 METRES MINIMUM
12 METRES MINIMUM
LOT FRONTAGE: 19.5 METRES MINIMUM.
FRONTAGE BUILD-OUT:50% MINIMUM.
1.8 METRES MINIMUM
ACCESSORY BUILDING (INCLUDING GARDEN SUITE BUILDINGS)COVERAGE: 44.6 SQ. METRES MAXIMUM

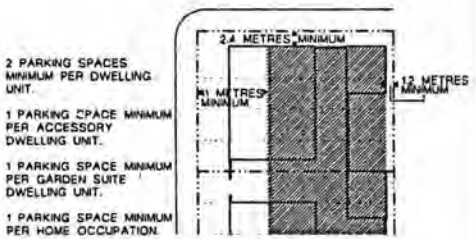
1.3.1 NO BUILDING SHALL BE LOCATED EXCEPT IN ACCORDANCE WITH THE SETBACKS FROM LOT LINES INDICATED IN THIS TABLE. CROSS-HATCHED AREA REPRESENTS MAXIMUM BUILDING ENVELOPE.
1.3.2 BUILDING FACADES SHALL EXTEND ALONG THE LOT FRONTAGES TO THE PERCENTAGE DESIGNATED HERE
1.3.3 MINIMUM LOT FRONTAGE AND MAXIMUM LOT COVERAGE FOR ACCESSORY BUILDINGS INCLUDING GARDEN SUITE BUILDINGS SHALL BE AS INDICATED.

1.4 PERMITTED ENCROACHMENTS



1.4.1 THE DESIGNATED ELEMENTS SHALL BE REQUIRED WITHIN THE CROSS-HATCHED AREAS INDICATED HERE.
1.4.2 IN THE ABSENCE OF BUILDING WALLS,WALLS OR FENCES SHALL BE BUILT AS INDICATED.
1.4.3 ENCLOSED WALKWAYS PERMITTED ONLY ON LOTS WITH A MINIMUM LOT FRONTAGE OF 9.8 METRES.

1.5 PARKING


2 PARKING SPACES MINIMUM PER DWELLING UNIT.
1 PARKING SPACE MINIMUM PER ACCESSORY DWELLING UNIT.
1 PARKING SPACE MINIMUM PER GARDEN SUITE DWELLING UNIT.
1 PARKING SPACE MINIMUM PER HOME OCCUPATION.
2.4 METRES MINIMUM
1 METRES MINIMUM
12 METRES MINIMUM

1.5.1 THE NUMBER OF PARKING SPACES REQUIRED TO BE PROVIDED SHALL BE AS SHOWN IN THIS TABLE.
1.5.2 PARKING SPACES SHALL ONLY BE LOCATED WITHIN THE AREA OF THE LOT SHOWN BY CROSS HATCHING IN THIS TABLE.
1.5.3 PARKING SPACES SHALL BE NO LESS THAN 2.75m x 5.89m.ACCESS SHALL BE PROVIDED TO A STREET OR LANE.
1.5.4 IN CALCULATING THE NUMBER OF PARKING SPACES PROVIDED FOR A USE OR BUILDING,PARKING SPACES AVAILABLE FOR USE BY THE OCCUPANTS AND VISITORS LOCATED ON STREETS ABUTTING A LOT MAY BE INCLUDED.

1.6 BUILDING HEIGHT

AND 1 FLOOR IN ROOF SPACE WITH DORMER
2 FLOORS MAXIMUM
WALL 1.2 METRES MIN. 1.8 METRES MAX.
2 FLOORS MAXIMUM
WALL 1.2 METRES MIN. 1.8 METRES MAX

1.6.1 HEIGHTS SHALL BE MEASURED BETWEEN THE FRONTAGE ELEVATION AND THE POINT WHERE THE ROOF JOINS THE BUILDING OR STRUCTURE.
1.6.2 MINIMUM AND MAXIMUM BUILDING HEIGHTS SHALL BE MEASURED IN NUMBER OF FLOORS. EACH FLOOR NOT TO EXCEED 4 METRES FLOOR TO CEILING
1.6.3 THE MAIN FLOOR OF THE MAIN BUILDING SHALL BE A MINIMUM OF 0.9 METRES ABOVE THE FRONT ELEVATION.

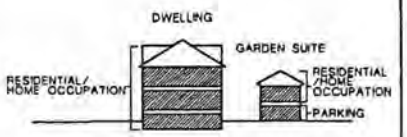
TABLE 2
BUILDING TYPE II-SINGLE DETACHED DWELLING

2.1 PERMITTED BUILDINGS AND STRUCTURES

1 SINGLE DETACHED DWELLING
ON 1 LOT
1 GARDEN SUITE BUILDING

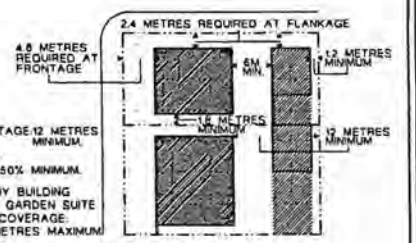
2.1.1 ONLY THOSE BUILDINGS AND STRUCTURES SHOWN IN THIS TABLE SHALL BE PERMITTED.
2.1.2 ACCESSORY BUILDINGS AND STRUCTURES SHALL ALSO BE PERMITTED.

2.2 PERMITTED USES



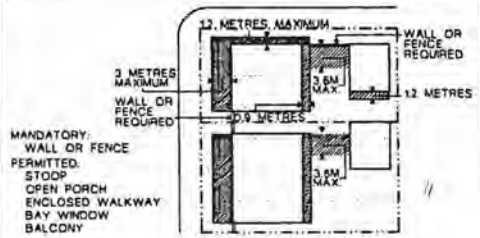
2.2.1 ONLY THOSE USES SHOWN IN THIS TABLE SHALL BE PERMITTED.
2.2.2 USES ACCESSORY TO THE PERMITTED USES SHALL ALSO BE PERMITTED,INCLUDING 1 DWELLING UNIT AND 1 ACCESSORY DWELLING UNIT IN A SINGLE DETACHED OR SEMI-DETACHED DWELLING UNIT.
2.2.3 A MINIMUM OF 50% OF THE GROUND FLOOR AREA OF A GARDEN SUITE BUILDING SHALL BE USED FOR PARKING.
2.2.4 GARDEN SUITE BUILDINGS SHALL ONLY BE PERMITTED ON LOTS WITH A MINIMUM FRONTAGE OF 9.6 METRES.
2.2.5 NO MORE THAN 40% OF THE DWELLINGS IN THE NG OR VG ZONES SHALL BE SINGLE DETACHED DWELLINGS.

2.3 BUILDING PLACEMENT


2.4 METRES REQUIRED AT FLANKAGE
4.8 METRES REQUIRED AT FRONTAGE
6M MIN.
1.2 METRES MINIMUM
1.8 METRES MINIMUM
1.2 METRES MINIMUM
LOT FRONTAGE:12 METRES MINIMUM.
FRONTAGE BUILD-OUT:50% MINIMUM.
ACCESSORY BUILDING (INCLUDING GARDEN SUITE BUILDINGS)COVERAGE: 44.8 SQ. METRES MAXIMUM

2.3.1 NO BUILDING SHALL BE LOCATED EXCEPT IN ACCORDANCE WITH THE SETBACKS FROM LOT LINES INDICATED IN THIS TABLE. CROSS-HATCHED AREA REPRESENTS MAXIMUM BUILDING ENVELOPE.
2.3.2 BUILDING FACADES SHALL EXTEND ALONG THE LOT FRONTAGES TO THE PERCENTAGE DESIGNATED HERE
2.3.3 MINIMUM LOT FRONTAGE AND MAXIMUM LOT COVERAGE FOR ACCESSORY BUILDINGS INCLUDING GARDEN SUITE BUILDINGS SHALL BE AS INDICATED

2.4 PERMITTED ENCROACHMENTS



2.4.1 THE DESIGNATED ELEMENTS SHALL BE REQUIRED WITHIN THE CROSS-HATCHED AREAS INDICATED HERE.
2.4.2 IN THE ABSENCE OF BUILDING WALLS,WALLS OR FENCES SHALL BE BUILT AS INDICATED.
2.4.3 ENCLOSED WALKWAYS PERMITTED ONLY ON LOTS WITH A MINIMUM LOT FRONTAGE OF 9.8 METRES.

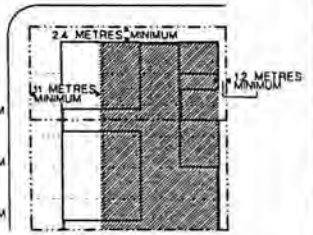
2.5 PARKING

2 PARKING SPACES MINIMUM PER DWELLING UNIT.

1 PARKING SPACE MINIMUM PER ACCESSORY DWELLING UNIT.

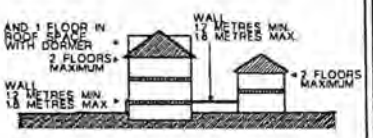
1 PARKING SPACE MINIMUM PER GARDEN SUITE DWELLING UNIT.

1 PARKING SPACE MINIMUM PER HOME OCCUPATION.



2.5.1 THE NUMBER OF PARKING SPACES REQUIRED TO BE PROVIDED SHALL BE AS SHOWN IN THIS TABLE.
2.5.2 PARKING SPACES SHALL ONLY BE LOCATED WITHIN THE AREA OF THE LOT SHOWN BY CROSS HATCHING IN THIS TABLE.
2.5.3 PARKING SPACES SHALL BE NO LESS THAN 2.75m x 5.89m.ACCESS SHALL BE PROVIDED TO A STREET OR LANE.
2.5.4 IN CALCULATING THE NUMBER OF PARKING SPACES PROVIDED FOR A USE OR BUILDING,PARKING SPACES AVAILABLE FOR USE BY THE OCCUPANTS AND VISITORS LOCATED ON STREETS ABUTTING A LOT MAY BE INCLUDED.

2.6 BUILDING HEIGHT


AND 1 FLOOR IN ROOF SPACE WITH DORMER
2 FLOORS MAXIMUM
WALL 7.2 METRES MIN. 8.6 METRES MAX.
2 FLOORS MAXIMUM
WALL 7.2 METRES MIN. 8.6 METRES MAX.

2.6.1 HEIGHTS SHALL BE MEASURED BETWEEN THE FRONTAGE ELEVATION AND THE POINT WHERE THE ROOF JOINS THE BUILDING OR STRUCTURE.
2.6.2 MINIMUM AND MAXIMUM BUILDING HEIGHTS SHALL BE MEASURED IN NUMBER OF FLOORS. EACH FLOOR NOT TO EXCEED 4 METRES FLOOR TO CEILING
2.6.3 THE MAIN FLOOR OF THE MAIN BUILDING SHALL BE A MINIMUM OF 0.9 METRES ABOVE THE FRONT ELEVATION.

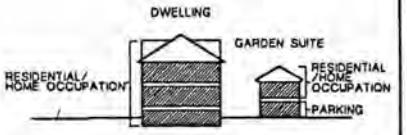
TABLE 3
BUILDING TYPE III-SEMI DETACHED DWELLING

3.1 PERMITTED BUILDINGS AND STRUCTURES

1 UNIT OF A SEMI-DETACHED DWELLING ON 1 LOT
1 SEMI-DETACHED DWELLING ON 1 LOT
1 GARDEN SUITE BUILDING
FOR EACH SEMI-DETACHED DWELLING UNIT

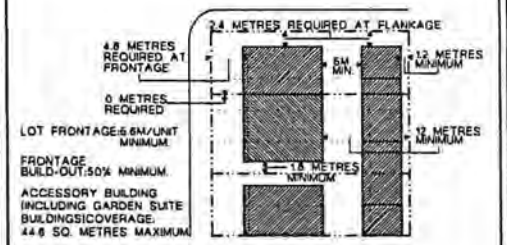
3.1.1 ONLY THOSE BUILDINGS AND STRUCTURES SHOWN IN THIS TABLE SHALL BE PERMITTED.
3.1.2 ACCESSORY BUILDINGS AND STRUCTURES SHALL ALSO BE PERMITTED.

3.2 PERMITTED USES



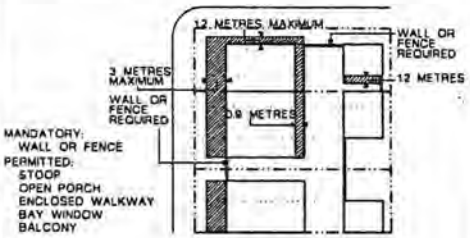
3.2.1 ONLY THOSE USES SHOWN IN THIS TABLE SHALL BE PERMITTED.
3.2.2 USES ACCESSORY TO THE PERMITTED USES SHALL ALSO BE PERMITTED,INCLUDING 1 DWELLING UNIT AND 1 ACCESSORY DWELLING UNIT IN A SINGLE DETACHED OR SEMI-DETACHED DWELLING UNIT.
3.2.3 A MINIMUM OF 50% OF THE GROUND FLOOR AREA OF A GARDEN SUITE BUILDING SHALL BE USED FOR PARKING.
3.2.4 GARDEN UNITS SHALL ONLY BE PERMITTED ON LOTS WITH A MINIMUM FRONTAGE OF 9.6 METRES.

3.3 BUILDING PLACEMENT


2.4 METRES REQUIRED AT FLANKAGE
4.8 METRES REQUIRED AT FRONTAGE
5M MIN.
12 METRES MINIMUM
0 METRES REQUIRED
LOT FRONTAGE:6.6M/UNIT MINIMUM.
12 METRES MINIMUM
FRONTAGE BUILD-OUT:50% MINIMUM.
18 METRES MINIMUM
ACCESSORY BUILDING INCLUDING GARDEN SUITE BUILDINGSICOVERAGE. 44.6 SQ. METRES MAXIMUM

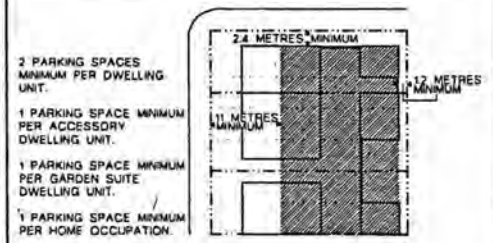
3.3.1 NO BUILDING SHALL BE LOCATED EXCEPT IN ACCORDANCE WITH THE SETBACKS FROM LOT LINES INDICATED IN THIS TABLE. CROSS-HATCHED AREA REPRESENTS MAXIMUM BUILDING ENVELOPE.
3.3.2 BUILDING FACADES SHALL EXTEND ALONG THE LOT FRONTAGES TO THE PERCENTAGE DESIGNATED HERE
3.3.3 MINIMUM LOT FRONTAGE AND MAXIMUM LOT COVERAGE FOR ACCESSORY BUILDINGS INCLUDING GARDEN SUITE BUILDINGS SHALL BE AS INDICATED

3.4 PERMITTED ENCROACHMENTS



3.4.1 THE DESIGNATED ELEMENTS SHALL BE REQUIRED WITHIN THE CROSS-HATCHED AREAS INDICATED HERE.
3.4.2 IN THE ABSENCE OF BUILDING WALLS,WALLS OR FENCES SHALL BE BUILT AS INDICATED.
3.4.3 ENCLOSED WALKWAYS PERMITTED ONLY ON LOTS WITH A MINIMUM LOT FRONTAGE OF 9.8 METRES.

3.5 PARKING


2 PARKING SPACES MINIMUM PER DWELLING UNIT.
1 PARKING SPACE MINIMUM PER ACCESSORY DWELLING UNIT.
1 PARKING SPACE MINIMUM PER GARDEN SUITE DWELLING UNIT.
1 PARKING SPACE MINIMUM PER HOME OCCUPATION.
2.4 METRES MINIMUM
11 METRES MINIMUM
12 METRES MINIMUM

3.5.1 THE NUMBER OF PARKING SPACES REQUIRED TO BE PROVIDED SHALL BE AS SHOWN IN THIS TABLE.
3.5.2 PARKING SPACES SHALL ONLY BE LOCATED WITHIN THE AREA OF THE LOT SHOWN BY CROSS HATCHING IN THIS TABLE.
3.5.3 PARKING SPACES SHALL BE NO LESS THAN 2.75m x 5.89m.ACCESS SHALL BE PROVIDED TO A STREET OR LANE.
3.5.4 IN CALCULATING THE NUMBER OF PARKING SPACES PROVIDED FOR A USE OR BUILDING,PARKING SPACES AVAILABLE FOR USE BY THE OCCUPANTS AND VISITORS LOCATED ON STREETS ABUTTING A LOT MAY BE INCLUDED.

3.6 BUILDING HEIGHT

AND 1 FLOOR IN ROOF SPACE WITH DORMER
2 FLOORS MAXIMUM
WALL 12 METRES MIN. 18 METRES MAX.
WALL 12 METRES MIN. 18 METRES MAX.
2 FLOORS MAXIMUM

3.6.1 HEIGHTS SHALL BE MEASURED BETWEEN THE FRONTAGE ELEVATION AND THE POINT WHERE THE ROOF JOINS THE BUILDING OR STRUCTURE.
3.6.2 MINIMUM AND MAXIMUM BUILDING HEIGHTS SHALL BE MEASURED IN NUMBER OF FLOORS. EACH FLOOR NOT TO EXCEED 4 METRES FLOOR TO CEILING.
3.6.3 THE MAIN FLOOR OF THE MAIN BUILDING SHALL BE A MINIMUM OF 0.9 METRES ABOVE THE FRONT ELEVATION.

TABLE 4

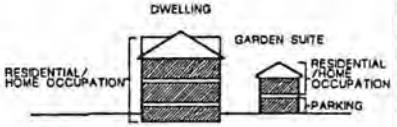
BUILDING TYPE IV-PLEX AND STREET TOWNHOUSE DWELLING

4.1 PERMITTED BUILDINGS AND STRUCTURES

1 DUPLEX DWELLING ON 1 LOT
1 TRIPLEX DWELLING ON 1 LOT
1 FOURPLEX DWELLING ON 1 LOT
1 STREET TOWNHOUSE DWELLING WITH A MAXIMUM OF 4 STREET TOWNHOUSES DWELLINGS ON 1 LOT TO A MAXIMUM OF 4 ATTACHED STREET TOWNHOUSE DWELLINGS ON 4 LOTS
1 GARDEN SUITE BUILDING FOR EACH STREET TOWNHOUSE UNIT

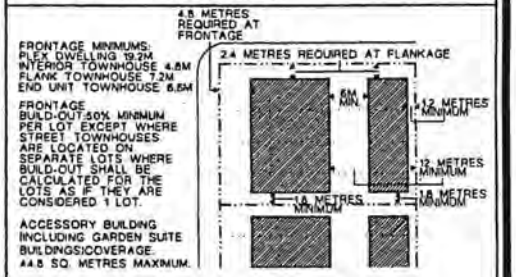
4.1.1 ONLY THOSE BUILDINGS AND STRUCTURES SHOWN IN THIS TABLE SHALL BE PERMITTED.
4.1.2 ACCESSORY BUILDINGS AND STRUCTURES SHALL ALSO BE PERMITTED.

4.2 PERMITTED USES



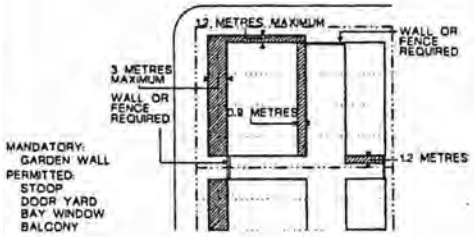
4.2.1 ONLY THOSE USES SHOWN IN THIS TABLE SHALL BE PERMITTED.
4.2.2 USES ACCESSORY TO THE PERMITTED USES SHALL ALSO BE PERMITTED.
4.2.3 A MINIMUM OF 50% OF THE GROUND FLOOR AREA OF A GARDEN SUITE BUILDING SHALL BE USED FOR PARKING.
4.2.4 GARDEN SUITS SHALL ONLY BE PERMITTED ON STREET TOWNHOUSE LOTS WITH MINIMUM FRONTAGE OF 9.6 METRES PER STREET TOWNHOUSE DWELLING UNIT.

4.3 BUILDING PLACEMENT


4.8 METRES REQUIRED AT FRONTAGE
FRONTAGE MINIMUMS:
PLEX DWELLING 19.2M
INTERIOR TOWNHOUSE 4.8M
FLANK TOWNHOUSE 7.2M
END UNIT TOWNHOUSE 8.8M
FRONTAGE BUILD-OUT 50% MINIMUM PER LOT EXCEPT WHERE STREET TOWNHOUSES ARE LOCATED ON SEPARATE LOTS WHERE BUILD-OUT SHALL BE CALCULATED FOR THE LOTS AS IF THEY ARE CONSIDERED 1 LOT.
ACCESSORY BUILDING INCLUDING GARDEN SUITE BUILDINGS)COVERAGE. 44.8 SQ. METRES MAXIMUM.
2.4 METRES REQUIRED AT FLANKAGE
6M MIN.
1.2 METRES MINIMUM
1.2 METRES MINIMUM
1.8 METRES MINIMUM
1.8 METRES MINIMUM

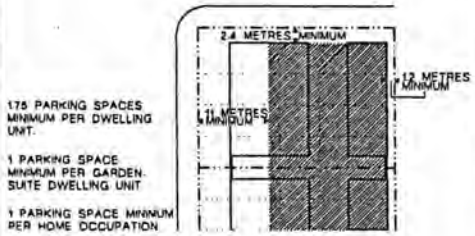
4.3.1 NO BUILDING SHALL BE LOCATED EXCEPT IN ACCORDANCE WITH THE SETBACKS FROM LOT LINES INDICATED IN THIS TABLE. CROSS-HATCHED AREA REPRESENTS MAXIMUM BUILDING ENVELOPE.
4.3.2 BUILDING FACADES SHALL EXTEND ALONG THE LOT FRONTAGES TO THE PERCENTAGE DESIGNATED HERE
4.3.3 MINIMUM LOT FRONTAGE AND MAXIMUM LOT COVERAGE FOR ACCESSORY BUILDINGS INCLUDING GARDEN SUITE BUILDINGS SHALL BE AS INDICATED.

4.4 PERMITTED ENCROACHMENTS



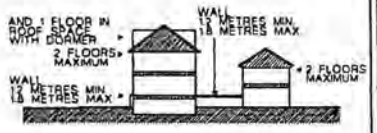
4.4.1 THE DESIGNATED ELEMENTS SHALL BE REQUIRED WITHIN THE CROSS-HATCHED AREAS INDICATED HERE.
4.4.2 IN THE ABSENCE OF BUILDING WALLS,WALLS OR FENCES SHALL BE BUILT AS INDICATED.
4.4.3 ENCLOSED WALKWAYS PERMITTED ONLY ON LOTS WITH A MINIMUM LOT FRONTAGE OF 9.8 METRES.

4.5 PARKING


1.75 PARKING SPACES MINIMUM PER DWELLING UNIT.
1 PARKING SPACE MINIMUM PER GARDEN SUITE DWELLING UNIT
1 PARKING SPACE MINIMUM PER HOME OCCUPATION
2.4 METRES MINIMUM
1.2 METRES MINIMUM
1.1 METRES MINIMUM

4.5.1 THE NUMBER OF PARKING SPACES REQUIRED TO BE PROVIDED SHALL BE AS SHOWN IN THIS TABLE.
4.5.2 PARKING SPACES SHALL ONLY BE LOCATED WITHIN THE AREA OF THE LOT SHOWN BY CROSS HATCHING IN THIS TABLE.
4.5.3 PARKING SPACES SHALL BE NO LESS THAN 2.75m x 5.89m.ACCESS SHALL BE PROVIDED TO A STREET OR LANE.
4.5.4 IN CALCULATING THE NUMBER OF PARKING SPACES PROVIDED FOR A USE OR BUILDING,PARKING SPACES AVAILABLE FOR USE BY THE OCCUPANTS AND VISITORS LOCATED ON STREETS ABUTTING A LOT MAY BE INCLUDED.

4.6 BUILDING HEIGHT


AND 1 FLOOR IN ROOF SPACE WITH DORMER
2 FLOORS MAXIMUM
WALL 12 METRES MIN. 18 METRES MAX
WALL 12 METRES MIN. 18 METRES MAX
2 FLOORS MAXIMUM

4.6.1 HEIGHTS SHALL BE MEASURED BETWEEN THE FRONTAGE ELEVATION AND THE POINT WHERE THE ROOF JOINS THE BUILDING OR STRUCTURE.
4.6.2 MINIMUM AND MAXIMUM BUILDING HEIGHTS SHALL BE MEASURED IN NUMBER OF FLOORS. EACH FLOOR NOT TO EXCEED 4 METRES FLOOR TO CEILING.
4.6.3 THE MAIN FLOOR OF THE MAIN BUILDING SHALL BE A MINIMUM OF 0.9 METRES ABOVE THE FRONT ELEVATION.

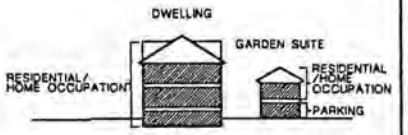
TABLE 5
BUILDING TYPE V-STREET TOWNHOUSE DWELLING

5.1 PERMITTED BUILDINGS AND STRUCTURES

1 STREET TOWNHOUSE DWELLING WITH A MAXIMUM OF 8 ATTACHED STREET TOWNHOUSE UNITS ON 1 LOT OR A MAXIMUM OF 8 LOTS
1 GARDEN SUITE BUILDING FOR EACH STREET TOWNHOUSE UNIT.

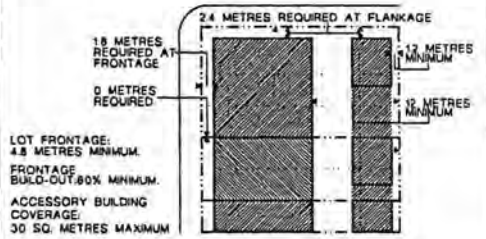
5.1.1 ONLY THOSE BUILDINGS AND STRUCTURES SHOWN IN THIS TABLE SHALL BE PERMITTED.
5.1.2 ACCESSORY BUILDINGS AND STRUCTURES SHALL ALSO BE PERMITTED.

5.2 PERMITTED USES



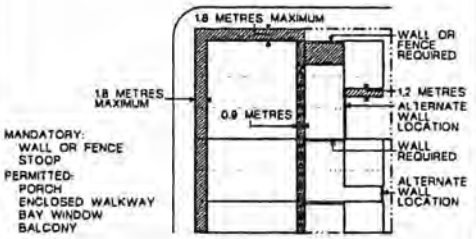
5.2.1 ONLY THOSE USES SHOWN IN THIS TABLE SHALL BE PERMITTED.
5.2.2 USES ACCESSORY TO THE PERMITTED USES SHALL ALSO BE PERMITTED.
5.2.3 A MINIMUM OF 50% OF THE GROUND FLOOR AREA OF A GARDEN SUITE BUILDING SHALL BE USED FOR PARKING.
5.2.4 GARDEN SUITES SHALL ONLY BE PERMITTED ON STREET TOWNHOUSE LOTS WITH A MINIMUM FRONTAGE OF 9.6 METRES PER STREET TOWNHOUSE DWELLING UNIT.

5.3 BUILDING PLACEMENT


2.4 METRES REQUIRED AT FLANKAGE
1.8 METRES REQUIRED AT FRONTAGE
0 METRES REQUIRED
1.2 METRES MINIMUM
12 METRES MINIMUM
LOT FRONTAGE: 4.8 METRES MINIMUM.
FRONTAGE BUILD-OUT:80% MINIMUM.
ACCESSORY BUILDING COVERAGE: 30 SQ. METRES MAXIMUM

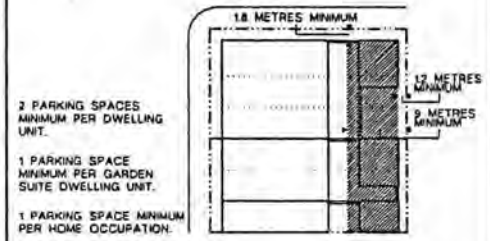
5.3.1 NO BUILDING SHALL BE LOCATED EXCEPT IN ACCORDANCE WITH THE SETBACKS FROM LOT LINES INDICATED IN THIS TABLE. CROSS-HATCHED AREA REPRESENTS MAXIMUM BUILDING ENVELOPE.
5.3.2 BUILDING FACADES SHALL EXTEND ALONG THE LOT FRONTAGES TO THE PERCENTAGE DESIGNATED HERE
5.3.3 MINIMUM LOT FRONTAGE AND MAXIMUM LOT COVERAGE FOR ACCESSORY BUILDINGS INCLUDING GARDEN SUITE BUILDINGS SHALL BE AS INDICATED.

5.4 PERMITTED ENCROACHMENTS



5.4.1 THE DESIGNATED ELEMENTS SHALL BE REQUIRED WITHIN THE CROSS-HATCHED AREAS INDICATED HERE.
5.4.2 IN THE ABSENCE OF BUILDING WALLS,WALLS OR FENCES SHALL BE BUILT AS INDICATED.
5.4.3 ENCLOSED WALKWAYS PERMITTED ONLY ON LOTS WITH A MINIMUM LOT FRONTAGE OF 9.8 METRES.

5.5 PARKING


1.8 METRES MINIMUM
1.2 METRES MINIMUM
2 METRES MINIMUM
2 PARKING SPACES MINIMUM PER DWELLING UNIT.
1 PARKING SPACE MINIMUM PER GARDEN SUITE DWELLING UNIT.
1 PARKING SPACE MINIMUM PER HOME OCCUPATION.

5.5.1 THE NUMBER OF PARKING SPACES REQUIRED TO BE PROVIDED SHALL BE AS SHOWN IN THIS TABLE.
5.5.2 PARKING SPACES SHALL ONLY BE LOCATED WITHIN THE AREA OF THE LOT SHOWN BY CROSS-HATCHING IN THIS TABLE.
5.5.3 PARKING SPACES SHALL BE NO LESS THAN 2.75m x 5.89m.ACCESS SHALL BE PROVIDED TO A STREET OR LANE.
5.5.4 IN CALCULATING THE NUMBER OF PARKING SPACES PROVIDED FOR A USE OR BUILDING,PARKING SPACES AVAILABLE FOR USE BY THE OCCUPANTS AND VISITORS LOCATED ON STREETS ABUTTING A LOT MAY BE INCLUDED.

5.6 BUILDING HEIGHT

AND 1 FLOOR IN ROOF SPACE WITH DORMER
2 FLOORS MAXIMUM
WALL 1.2 METRES MIN. 1.8 METRES MAX.
2 FLOORS MAXIMUM
WALL 1.2 METRES MIN. 1.8 METRES MAX.

5.6.1 HEIGHTS SHALL BE MEASURED BETWEEN THE FRONTAGE ELEVATION AND THE POINT WHERE THE ROOF JOINS THE BUILDING OR STRUCTURE.
5.6.2 MINIMUM AND MAXIMUM BUILDING HEIGHTS SHALL BE MEASURED IN NUMBER OF FLOORS. EACH FLOOR NOT TO EXCEED 4 METRES FLOOR TO CEILING.
5.6.3 MINIMUM HEIGHT IN ANY NC OR VC ZONE SHALL BE, 2 FLOORS AND IN ANY CS ZONE,3 FLOORS.
5.6.4 THE MAIN FLOOR OF THE MAIN BUILDING SHALL BE A MINIMUM OF 0.9 METRES ABOVE THE FRONT ELEVATION.

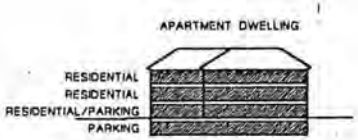
TABLE 6
BUILDING TYPE VI-APARTMENT DWELLING

6.1 PERMITTED BUILDINGS AND STRUCTURES

1 APARTMENT DWELLING ON 1 LOT

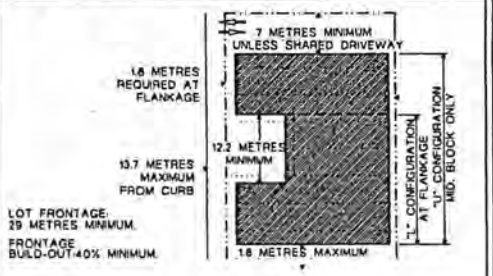
6.1.1 ONLY THOSE BUILDINGS AND STRUCTURES SHOWN IN THIS TABLE SHALL BE PERMITTED.
6.1.2 ACCESSORY BUILDINGS AND STRUCTURES ARE PROHIBITED.

6.2 PERMITTED USES



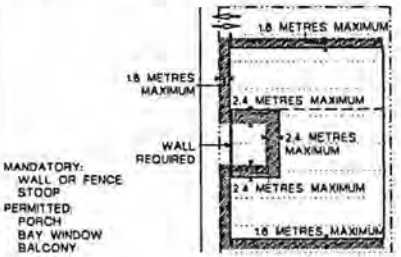
6.2.1 ONLY THOSE USES SHOWN IN THIS TABLE SHALL BE PERMITTED.
6.2.2 USES ACCESSORY TO THE PERMITTED USES SHALL ALSO BE PERMITTED.

6.3 BUILDING PLACEMENT



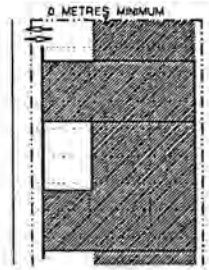
6.3.1 NO BUILDING SHALL BE LOCATED EXCEPT IN ACCORDANCE WITH THE SETBACKS FROM LOT LINES INDICATED IN THIS TABLE. CROSS-HATCHED AREA REPRESENTS MAXIMUM BUILDING ENVELOPE.
6.3.2 BUILDING FACADES SHALL EXTEND ALONG THE LOT FRONTAGES TO THE PERCENTAGE DESIGNATED HERE

6.4 PERMITTED ENCROACHMENTS



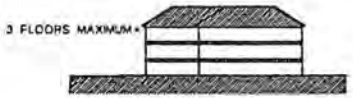
6.4.1 THE DESIGNATED ELEMENTS SHALL BE REQUIRED WITHIN THE CROSS-HATCHED AREAS INDICATED HERE.
6.4.2 IN THE ABSENCE OF BUILDING WALLS, WALLS OR FENCES SHALL BE BUILT AS INDICATED.
6.4.3 ENCLOSED WALKWAYS PERMITTED ONLY ON LOTS WITH A MINIMUM LOT FRONTAGE OF 9.8 METRES.

6.5 PARKING



6.5.1 THE NUMBER OF PARKING SPACES REQUIRED TO BE PROVIDED SHALL BE AS SHOWN IN THIS TABLE.
6.5.2 PARKING SPACES SHALL ONLY BE LOCATED WITHIN THE AREA OF THE LOT SHOWN BY CROSS HATCHING IN THIS TABLE.
6.5.3 PARKING SPACES SHALL BE NO LESS THAN 2.75m x 5.89m. ACCESS SHALL BE PROVIDED TO A STREET OR LANE.
6.5.4 IN CALCULATING THE NUMBER OF PARKING SPACES PROVIDED FOR A USE OR BUILDING, PARKING SPACES AVAILABLE FOR USE BY THE OCCUPANTS AND VISITORS LOCATED ON STREETS ABUTTING A LOT MAY BE INCLUDED.

6.6 BUILDING HEIGHT



6.6.1 HEIGHTS SHALL BE MEASURED BETWEEN THE FRONTAGE ELEVATION AND THE POINT WHERE THE ROOF JOINS THE BUILDING OR STRUCTURE.
6.6.2 MINIMUM AND MAXIMUM BUILDING HEIGHTS SHALL BE MEASURED IN NUMBER OF FLOORS. EACH FLOOR NOT TO EXCEED 4 METRES FLOOR TO CEILING.
6.6.3 MINIMUM HEIGHT IN ANY NC OR VC ZONE SHALL BE 2 FLOORS AND IN ANY CS ZONE, 3 FLOORS.

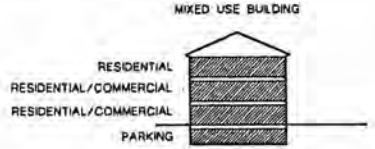
TABLE 7
BUILDING TYPE VII-MIXED COMMERCIAL/RESIDENTIAL BUILDING

7.1 PERMITTED BUILDINGS AND STRUCTURES

1 MIXED COMMERCIAL/RESIDENTIAL BUILDING ON 1 LOT HAVING A MAXIMUM OF 4 DWELLING UNITS

7.1.1 ONLY THOSE BUILDINGS AND STRUCTURES SHOWN IN THIS TABLE SHALL BE PERMITTED.
7.1.2 ACCESSORY BUILDINGS AND STRUCTURES ARE PROHIBITED.

7.2 PERMITTED USES

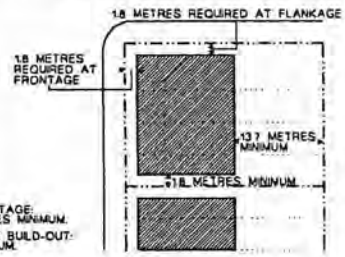


NO. OF RESIDENTIAL UNITS:4 MAXIMUM

7.2.1 ONLY THOSE USES SHOWN IN THIS TABLE SHALL BE PERMITTED.
7.2.2 PERMITTED COMMERCIAL USES SHALL BE LIMITED TO:
- i RETAIL COMMERCIAL USE;
- ii SERVICE SHOP USE;
- iii PERSONAL SERVICE SHOP USE;
- iv OFFICE USE;
- v CLINIC USE;
- vi FINANCIAL INSTITUTION USE;
- vii HEALTH CENTRE USE;
- viii CUSTOM WORKSHOP USE;
- ix STUDIO USE;
- x GALLERY USE;
- xi SCHOOL & DAY NURSERY USE;
- xii RESTAURANT USE; &
- xiii TAKE-OUT RESTAURANT USE;

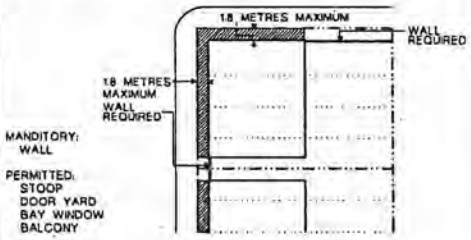
7.2.3 ACCESSORY USES SHALL ALSO BE PERMITTED.
7.2.4 IN THE NC-RR,VC-RR AND CS-RR ZONES, COMMERCIAL USES SHALL BE REQUIRED ON THE GROUND FLOOR.

7.3 BUILDING PLACEMENT


1.8 METRES REQUIRED AT FLANKAGE
1.8 METRES REQUIRED AT FRONTAGE
13.7 METRES MINIMUM
18 METRES MINIMUM
LOT FRONTAGE: 19.5 METRES MINIMUM.
FRONTAGE BUILD-OUT: 80% MINIMUM.

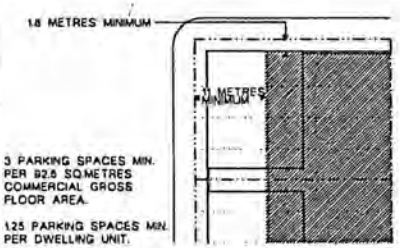
7.3.1 BUILDINGS SHALL BE SET ON LOTS RELATIVE TO THE PROPERTY LINES AS INDICATED WITHIN THE CROSS-HATCHED AREA. CROSS-HATCHED AREA REPRESENTS MAXIMUM BUILDING ENVELOPE.
7.3.2 BUILDING FACADES SHALL EXTEND ALONG THE LOT FRONTAGES TO THE PERCENTAGE DESIGNATED HERE
7.3.3 THE MINIMUM LOT FRONTAGE SHALL BE AS INDICATED.

7.4 PERMITTED ENCROACHMENTS



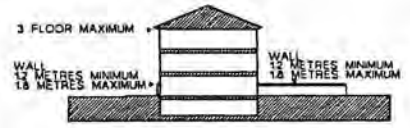
7.4.1 THE DESIGNATED ELEMENTS SHALL BE REQUIRED OR PERMITTED WITHIN THE CROSS-HATCHED AREAS INDICATED HERE.
7.4.2 IN THE ABSENCE OF BUILDING WALLS,WALLS OR FENCES SHALL BE BUILT AS INDICATED HERE. AN OPENING OF 3.6 METRES FOR VEHICULAR INGRESS IS PERMITTED.

7.5 PARKING


1.8 METRES MINIMUM
5.5 METRES MINIMUM
3 PARKING SPACES MIN. PER 92.5 SQ.METRES COMMERCIAL GROSS FLOOR AREA.
1.25 PARKING SPACES MIN. PER DWELLING UNIT.

7.5.1 PARKING SPACES SHALL BE PROVIDED WITHIN THE AREAS INDICATED HERE IN THE NUMBERS DESIGNATED.
7.5.2 PARKING SPACES SHALL BE NO LESS THAN 2.75m x 5.89m WITH ACCESS TO A STREET OR LANE.
7.5.3 IN CALCULATING THE NUMBER OF PARKING SPACES PROVIDED FOR A USE OR BUILDING,PARKING SPACES AVAILABLE FOR USE BY THE OCCUPANTS AND VISITORS LOCATED ON STREETS ABUTTING A LOT MAY BE INCLUDED.

7.6 BUILDING HEIGHT



7.6.1 HEIGHTS SHALL BE MEASURED BETWEEN THE FRONTAGE ELEVATION AND THE POINT WHERE THE ROOF JOINS THE BUILDING OR STRUCTURE.
7.6.2 MINIMUM AND MAXIMUM BUILDING HEIGHTS SHALL BE MEASURED IN NUMBER OF FLOORS. NO MAXIMUM HEIGHT SHALL BE APPLICABLE TO EACH FLOOR,BUT MINIMUM HEIGHT FOR THE GROUND FLOOR IN THE NC-RR,VC-RR AND CS-RR ZONES SHALL BE 4 METRES.
7.6.3 MINIMUM HEIGHT IN ANY NC OR VC ZONE SHALL BE 2 FLOORS,AND IN ANY CS ZONE,3 FLOORS.

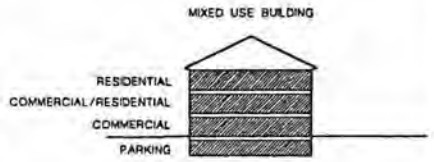
TABLE 8
BUILDING TYPE VIII-MIXED COMMERCIAL/RESIDENTIAL BUILDING

8.1 PERMITTED BUILDINGS AND STRUCTURES

1 MIXED COMMERCIAL/RESIDENTIAL BUILDING ON 1 LOT

8.1.1 ONLY THOSE BUILDINGS AND STRUCTURES SHOWN IN THIS TABLE SHALL BE PERMITTED.
8.1.2 ACCESSORY BUILDINGS AND STRUCTURES ARE PROHIBITED.

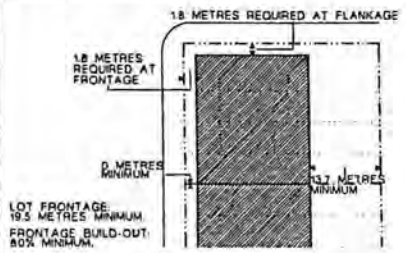
8.2 PERMITTED USES



8.2.1 ONLY THOSE USES SHOWN IN THIS TABLE SHALL BE PERMITTED.
8.2.2 PERMITTED COMMERCIAL USES SHALL BE LIMITED TO:
- i RETAIL COMMERCIAL USE;
- ii SERVICE SHOP USE;
- iii PERSONAL SERVICE SHOP USE;
- iv OFFICE USE;
- v CLINIC USE;
- vi FINANCIAL INSTITUTION USE;
- vii HEALTH CENTRE USE;
- viii CUSTOM WORKSHOP USE;
- ix STUDIO USE;
- x GALLERY USE;
- xi SCHOOL & DAY NURSERY USE;
- xii RESTAURANT USE; &
- xiii TAKE-OUT RESTAURANT USE;

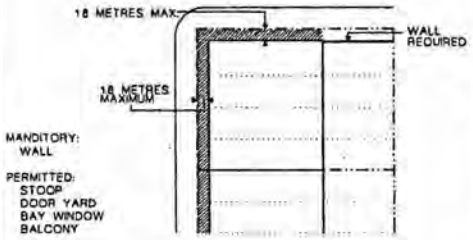
8.2.3 ACCESSORY USES SHALL ALSO BE PERMITTED.

8.3 BUILDING PLACEMENT


1.8 METRES REQUIRED AT FLANKAGE
1.8 METRES REQUIRED AT FRONTAGE
0 METRES MINIMUM
3.7 METRES MINIMUM
LOT FRONTAGE 19.5 METRES MINIMUM
FRONTAGE BUILD-OUT 80% MINIMUM.

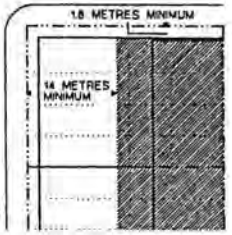
8.3.1 BUILDINGS SHALL BE SET ON LOTS RELATIVE TO THE PROPERTY LINES AS INDICATED WITHIN THE CROSS-HATCHED AREA. CROSS-HATCHED AREA REPRESENTS MAXIMUM BUILDING ENVELOPE.
8.3.2 BUILDING FACADES SHALL EXTEND ALONG THE LOT FRONTAGES TO THE PERCENTAGE DESIGNATED HERE.
8.3.3 THE MINIMUM LOT FRONTAGE SHALL BE AS INDICATED.

8.4 PERMITTED ENCROACHMENTS



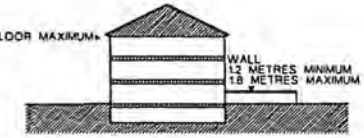
8.4.1 THE DESIGNATED ELEMENTS SHALL BE REQUIRED OR PERMITTED WITHIN THE CROSS-HATCHED AREAS INDICATED HERE.
8.4.2 IN THE ABSENCE OF BUILDING WALLS,WALLS OR FENCES SHALL BE BUILT AS INDICATED HERE. AN OPENING OF 3.6 METRES FOR VEHICULAR INGRESS IS PERMITTED.

8.5 PARKING


1.8 METRES MINIMUM
14 METRES MINIMUM
3 PARKING SPACES MIN. PER 92.5 SQ.METRES COMMERCIAL GROSS FLOOR AREA.
1.25 PARKING SPACES MIN PER DWELLING UNIT.

8.5.1 PARKING SPACES SHALL BE PROVIDED WITHIN THE AREAS INDICATED HERE IN THE NUMBERS DESIGNATED.
8.5.2 PARKING SPACES SHALL BE NO LESS THAN 2.75m×5.89m WITH ACCESS TO A STREET OR LANE.
8.5.3 IN CALCULATING THE NUMBER OF PARKING SPACES PROVIDED FOR A USE OR BUILDING,PARKING SPACES AVAILABLE FOR USE BY THE OCCUPANTS AND VISITORS LOCATED ON STREETS ABUTTING A LOT MAY BE INCLUDED.

8.6 BUILDING HEIGHT



8.6.1 HEIGHTS SHALL BE MEASURED BETWEEN THE FRONTAGE ELEVATION AND THE POINT WHERE THE ROOF JOINS THE BUILDING OR STRUCTURE.
8.6.2 MINIMUM AND MAXIMUM BUILDING HEIGHTS SHALL BE MEASURED IN NUMBER OF FLOORS.
NO MAXIMUM HEIGHT SHALL BE APPLICABLE TO EACH FLOOR,BUT MINIMUM HEIGHT FOR THE GROUND FLOOR IN THE NC-RR,VC-RR AND CS-RR ZONES SHALL BE 4 METRES.
8.6.3 MINIMUM HEIGHT IN ANY NC OR VC ZONE SHALL BE 2 FLOORS,AND IN ANY CS ZONE,3 FLOORS.

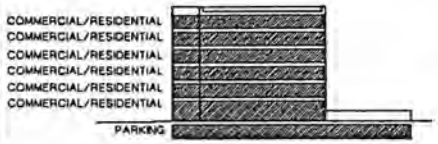
TABLE 9
BUILDING TYPE IX-MIXED COMMERCIAL/RESIDENTIAL BUILDING

9.1 PERMITTED BUILDINGS AND STRUCTURES

1 APARTMENT BUILDING ON 1 LOT
1 COMMERCIAL BUILDING ON 1 LOT
1 MIXED COMMERCIAL/RESIDENTIAL BUILDING ON 1 LOT

9.1.1 ONLY THOSE BUILDINGS AND STRUCTURES SHOWN IN THIS TABLE SHALL BE PERMITTED.
9.1.2 ACCESSORY BUILDINGS AND STRUCTURES ARE PROHIBITED.
9.1.3 THE ONLY PERMITTED USE IN THE CS ZONE SHALL BE 1 APARTMENT BUILDING ON 1 LOT.

9.2 PERMITTED USES

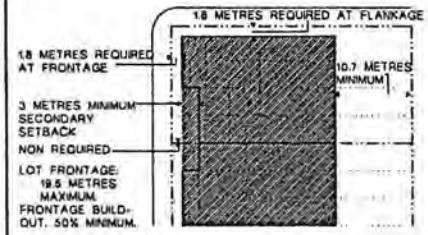


9.2.1 ONLY THOSE USES SHOWN IN THIS TABLE SHALL BE PERMITTED.
9.2.2 PERMITTED COMMERCIAL USES SHALL BE LIMITED TO

i RETAIL COMMERCIAL USE;
ii SERVICE SHOP USE;
iii PERSONAL SERVICE SHOP USE;
iv OFFICE USE;
v CLINIC USE;
vi FINANCIAL INSTITUTION USE;
vii HEALTH CENTRE USE;
viii CUSTOM WORKSHOP USE;
ix STUDIO USE;
x GALLERY USE;
xi SCHOOL & DAY NURSERY USE;
xii RESTAURANT USE; &
xiii TAKE-OUT RESTAURANT USE;

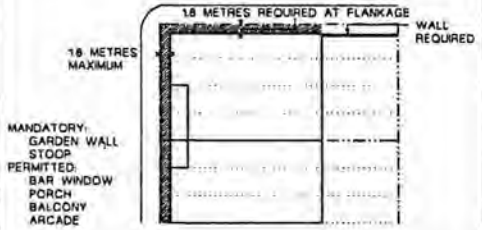
9.2.3 ACCESSORY USES SHALL ALSO BE PERMITTED.
9.2.4 IN THE CC-RR ZONE,COMMERCIAL USES SHALL BE REQUIRED ON THE GROUND FLOOR.

9.3 BUILDING PLACEMENT


1.8 METRES REQUIRED AT FLANKAGE
1.8 METRES REQUIRED AT FRONTAGE
10.7 METRES MINIMUM
3 METRES MINIMUM SECONDARY SETBACK
NON REQUIRED
LOT FRONTAGE: 19.5 METRES MAXIMUM. FRONTAGE BUILD-OUT, 50% MINIMUM.

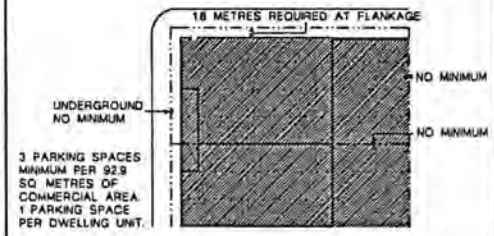
9.3.1 BUILDINGS SHALL BE SET ON LOTS RELATIVE TO THE PROPERTY LINES AS INDICATED WITHIN THE CROSS-HATCHED AREA. CROSS-HATCHED AREA REPRESENTS MAXIMUM BUILDING ENVELOPE.
9.3.2 BUILDING FACADES SHALL EXTEND ALONG THE LOT FRONTAGES TO THE PERCENTAGE DESIGNATED HERE
9.3.3 THE MINIMUM LOT FRONTAGE SHALL BE AS INDICATED.

9.4 PERMITTED ENCROACHMENTS



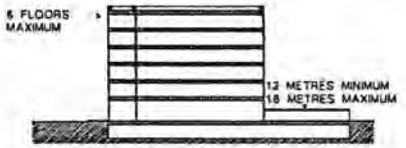
9.4.1 THE DESIGNATED ELEMENTS SHALL BE REQUIRED OR PERMITTED WITHIN THE CROSS-HATCHED AREAS INDICATED HERE.
9.4.2 IN THE ABSENCE OF BUILDING WALLS,WALLS OR FENCES SHALL BE BUILT AS INDICATED HERE. AN OPENING OF 3.6 METRES FOR VEHICULAR INGRESS IS PERMITTED.

9.5 PARKING


1.8 METRES REQUIRED AT FLANKAGE
NO MINIMUM
UNDERGROUND NO MINIMUM
NO MINIMUM
3 PARKING SPACES MINIMUM PER 92.9 SQ. METRES OF COMMERCIAL AREA. 1 PARKING SPACE PER DWELLING UNIT.

9.5.1 PARKING SPACES SHALL BE PROVIDED WITHIN THE AREAS INDICATED HERE IN THE NUMBERS DESIGNATED.
9.5.2 PARKING SPACES SHALL BE NO LESS THAN 2.75mx5.89m WITH ACCESS TO A STREET OR LANE.
9.5.3 IN CALCULATING THE NUMBER OF PARKING SPACES PROVIDED FOR A USE OR BUILDING,PARKING SPACES AVAILABLE FOR USE BY THE OCCUPANTS AND VISITORS LOCATED ON STREETS ABUTTING A LOT MAY BE INCLUDED.

9.6 BUILDING HEIGHT



9.6.1 HEIGHTS SHALL BE MEASURED BETWEEN THE FRONTAGE ELEVATION AND THE POINT ON THE BUILDING WHERE THE ROOF JOINS THE BUILDING OR STRUCTURE.
9.6.2 MINIMUM AND MAXIMUM BUILDING HEIGHTS SHALL BE MEASURED IN NUMBER OF FLOORS.
NO MAXIMUM HEIGHT SHALL BE APPLICABLE TO EACH FLOOR,BUT THE MINIMUM HEIGHT FOR THE GROUND FLOOR IN THE CENTRAL CORE-RETAIL FRONTAGE ZONE SHALL BE 4 METRES.
9.6.3 MINIMUM HEIGHT IN ANY CC OR CS ZONE SHALL BE 3 FLOORS,EXCEPT IN A CS-MU ZONE WHERE THE MINIMUM SHALL BE 6 FLOORS.

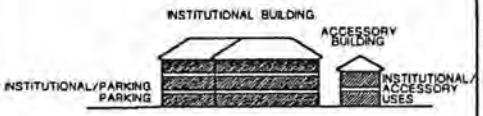
TABLE 10
BUILDING TYPE X-INSTITUTIONAL BUILDING

10.1 PERMITTED BUILDINGS AND STRUCTURES

INSTITUTIONAL BUILDINGS AND STRUCTURES

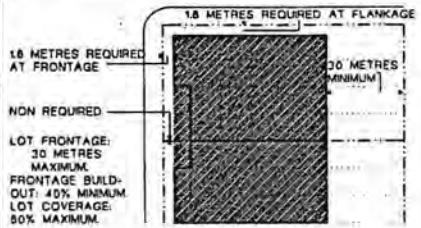
10.1.1 ONLY THOSE BUILDINGS AND STRUCTURES SHOWN IN THIS TABLE SHALL BE PERMITTED.
10.1.2 ACCESSORY BUILDINGS AND STRUCTURES SHALL ALSO BE PERMITTED.

10.2 PERMITTED USES



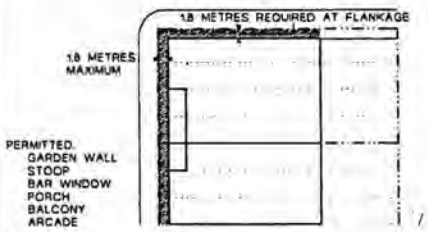
10.2.1 ONLY THOSE USES SHOWN IN THIS TABLE SHALL BE PERMITTED AND THE FULL RANGE OF OPEN SPACE USES INCLUDING PUBLIC PARKS,SWIMMING POOLS AND ATHLETIC PLAYING FIELDS.
10.2.2 USES ACCESSORY TO THE PERMITTED USES SHALL ALSO BE PERMITTED.

10.3 BUILDING PLACEMENT


1.8 METRES REQUIRED AT FLANKAGE
1.8 METRES REQUIRED AT FRONTAGE
30 METRES MINIMUM
NON REQUIRED
LOT FRONTAGE: 30 METRES MAXIMUM.
FRONTAGE BUILD-OUT: 40% MINIMUM.
LOT COVERAGE: 80% MAXIMUM.

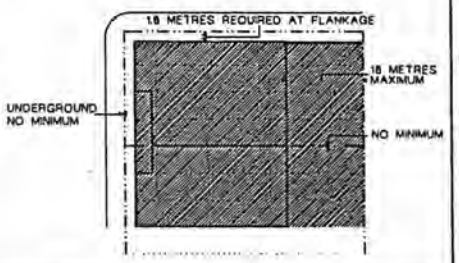
10.3.1 NO BUILDING SHALL BE LOCATED EXCEPT IN ACCORDANCE WITH THE SETBACKS FROM LOT LINES INDICATED IN THIS TABLE. CROSS-HATCHED AREA REPRESENTS MAXIMUM BUILDING ENVELOPE.
10.3.2 BUILDING FACADES SHALL EXTEND ALONG THE LOT FRONTAGES TO THE PERCENTAGE DESIGNATED HERE
10.3.3 MINIMUM LOT FRONTAGE AND MAXIMUM LOT COVERAGE SHALL BE AS INDICATED,AND MINIMUM LOT COVERAGE SHALL BE INCLUSIVE OF ACCESSORY BUILDINGS AND STRUCTURES.

10.4 PERMITTED ENCROACHMENTS



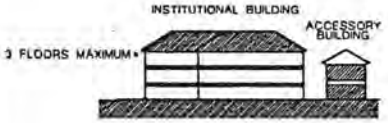
10.4.1 THE DESIGNATED ELEMENTS SHALL BE REQUIRED OR PERMITTED WITHIN THE CROSS-HATCHED AREAS INDICATED HERE.

10.5 PARKING



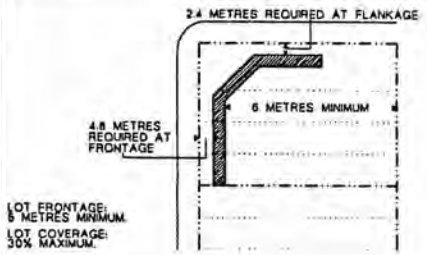
10.5.1 PARKING SPACES SHALL ONLY BE LOCATED WITHIN THE AREA OF THE LOT SHOWN BY CROSS HATCHING IN THIS TABLE.
10.5.2 PARKING SPACES SHALL BE NO LESS THAN 2.75m x 5.89m.ACCESS SHALL BE PROVIDED TO A STREET OR LANE.
10.4.3 MINIMUM PARKING REQUIREMENTS SHALL BE:NURSERY AND ELEMENTARY SCHOOLS 1.5 SPACES FOR EACH TEACHING CLASS ROOM OR EQUIVALENT.
MUSEUMS,LIBRARIES AND ART GALLERIES
-1 SPACE/95 SQUARE METRES OF G.F.A.
HOSPITALS AND NURSING HOMES
-1 SPACE/2 BEDS OR 37 SQUARE METRES OF G.F.A. WHICH EVER IS GREATER
PLACES OF WORSHIP-1 SPACE/6 SEATS OR 17.5 SQUARE METRES OF G.F.A.WHICH EVER IS GREATER

10.6 BUILDING HEIGHT



10.6.1 HEIGHTS SHALL BE MEASURED BETWEEN THE FRONTAGE ELEVATION AND THE POINT WHERE THE ROOF JOINS THE THE BUILDING OR STRUCTURE.
10.6.2 MINIMUM AND MAXIMUM BUILDING HEIGHTS SHALL BE MEASURED IN NUMBER OF FLOORS.

TABLE 11
BUILDING TYPE XI-CIVIC BUILDINGS

11.1 PERMITTED BUILDINGS AND STRUCTURES	11.2 PERMITTED USES	11.3 BUILDING PLACEMENT
CIVIC BUILDINGS AND STRUCTURES RECREATION STRUCTURES PLACES OF WORSHIP		
11.1.1 ONLY THOSE BUILDINGS AND STRUCTURES SHOWN IN THIS TABLE SHALL BE PERMITTED. 11.1.2 ACCESSORY BUILDINGS AND STRUCTURES SHALL ALSO BE PERMITTED.	11.2.1 ONLY THOSE USES SHOWN IN THIS TABLE SHALL BE PERMITTED. 11.2.2 USES ACCESSORY TO THE PERMITTED USES SHALL ALSO BE PERMITTED.	11.3.1 NO BUILDING SHALL BE LOCATED EXCEPT IN ACCORDANCE WITH THE SETBACKS FROM LOT LINES INDICATED IN THIS TABLE. CROSS-HATCHED AREA REPRESENTS MAXIMUM BUILDING ENVELOPE. 11.3.2 MINIMUM LOT FRONTAGE AND MAXIMUM LOT COVERAGE SHALL BE AS INDICATED AND MINIMUM LOT COVERAGE SHALL BE INCLUSIVE OF ACCESSORY BUILDINGS AND STRUCTURES.

11.4 PERMITTED ENCROACHMENTS	11.5 PARKING	11.6 BUILDING HEIGHT
NOT APPLICABLE	NOT APPLICABLE	
NOT APPLICABLE	11.5.1 PARKING AREAS AND STRUCTURES SHALL BE PROHIBITED.	11.6.1 HEIGHTS SHALL BE MEASURED BETWEEN THE FRONTAGE ELEVATION AND THE POINT WHERE THE ROOF JOINS THE THE BUILDING OR STRUCTURE. 11.6.2 MINIMUM AND MAXIMUM BUILDING HEIGHTS SHALL BE MEASURED IN NUMBER OF FLOORS.

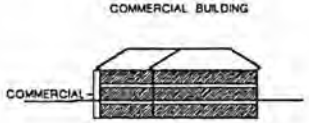
TABLE 12
BUILDING TYPE XII-AUTOMOTIVE SERVICE BUILDING

12.1 PERMITTED BUILDINGS AND STRUCTURES

AUTOMOTIVE SERVICE BUILDINGS AND STRUCTURES

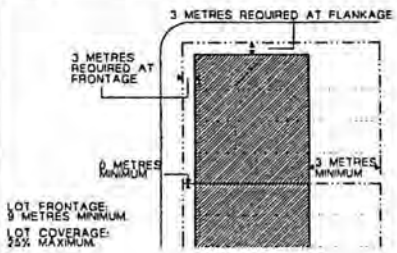
12.1.1 ONLY THOSE BUILDINGS AND STRUCTURES SHOWN IN THIS TABLE SHALL BE PERMITTED.
12.1.2 ACCESSORY BUILDINGS AND STRUCTURES ARE PROHIBITED.

12.2 PERMITTED USES



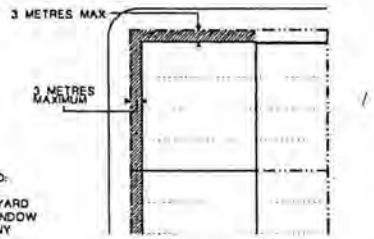
12.2.1 ONLY THOSE USES SHOWN IN THIS TABLE SHALL BE PERMITTED.
12.2.2 PERMITTED COMMERCIAL USES SHALL BE LIMITED TO AUTOMOTIVE COMMERCIAL USE.
12.2.3 ACCESSORY USES SHALL ALSO BE PERMITTED.

12.3 BUILDING PLACEMENT


3 METRES REQUIRED AT FLANKAGE
3 METRES REQUIRED AT FRONTAGE
9 METRES MINIMUM
3 METRES MINIMUM
LOT FRONTAGE: 9 METRES MINIMUM
LOT COVERAGE: 25% MAXIMUM

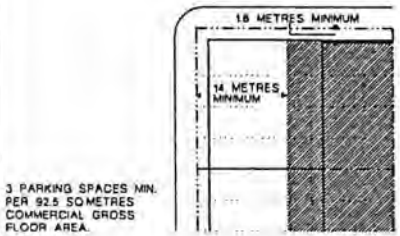
12.3.1 BUILDINGS SHALL BE SET ON LOTS RELATIVE TO THE PROPERTY LINES AS INDICATED WITHIN THE CROSS-HATCHED AREA. CROSS-HATCHED AREA REPRESENTS MAXIMUM BUILDING ENVELOPE.
12.3.2 THE MINIMUM LOT FRONTAGE AND MAXIMUM LOT COVERAGE SHALL BE AS INDICATED.

12.4 PERMITTED ENCROACHMENTS



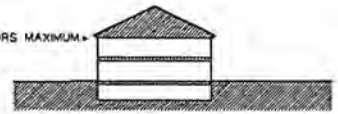
12.4.1 THE DESIGNATED ELEMENTS SHALL BE REQUIRED OR PERMITTED WITHIN THE CROSS-HATCHED AREAS INDICATED HERE.

12.5 PARKING



12.5.1 PARKING SPACES SHALL BE PROVIDED WITHIN THE AREAS INDICATED HERE.
12.5.2 PARKING SPACES SHALL BE NO LESS THAN 2.75m x 5.89m WITH ACCESS TO A STREET OR LANE.
12.5.3 MINIMUM PARKING REQUIREMENTS SHALL BE 1 SPACE/30 SQUARE METRES.

12.6 BUILDING HEIGHT



12.6.1 HEIGHTS SHALL BE MEASURED BETWEEN THE FRONTAGE ELEVATION AND THE POINT WHERE THE ROOF JOINS THE BUILDING OR STRUCTURE.
12.6.2 MINIMUM AND MAXIMUM BUILDING HEIGHTS SHALL BE MEASURED IN NUMBER OF FLOORS.

TABLE 13
BUILDING TYPE XIII-INDUSTRIAL BUILDING

13.1 PERMITTED BUILDINGS AND STRUCTURES

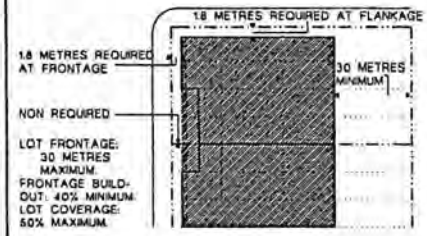
INDUSTRIAL BUILDINGS AND STRUCTURES

13.1.1 ONLY THOSE BUILDINGS AND STRUCTURES SHOWN IN THIS TABLE SHALL BE PERMITTED.
13.1.2 ACCESSORY BUILDINGS AND STRUCTURES ARE ALSO PERMITTED.

13.2 PERMITTED USES

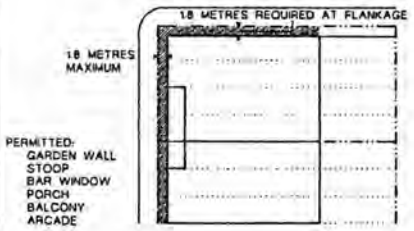
13.2.1 ONLY THOSE USES SHOWN IN THIS TABLE SHALL BE PERMITTED.
13.2.2 ACCESSORY USES SHALL ALSO BE PERMITTED.

13.3 BUILDING PLACEMENT


18 METRES REQUIRED AT FLANKAGE
18 METRES REQUIRED AT FRONTAGE
30 METRES MINIMUM
NON REQUIRED
LOT FRONTAGE: 30 METRES MAXIMUM.
FRONTAGE BUILD-OUT: 40% MINIMUM.
LOT COVERAGE: 50% MAXIMUM.

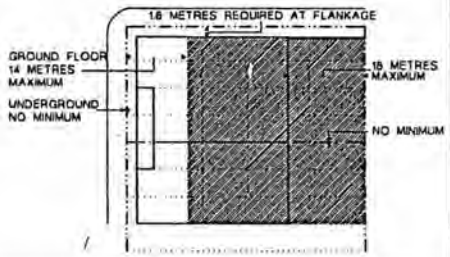
13.3.1 BUILDINGS SHALL BE SET ON LOTS RELATIVE TO THE PROPERTY LINES AS INDICATED WITHIN THE CROSS-HATCHED AREA. CROSS-HATCHED AREA REPRESENTS MAXIMUM BUILDING ENVELOPE.
13.3.2 BUILDING FACADES SHALL EXTEND ALONG THE LOT FRONTAGES TO THE PERCENTAGE DESIGNATED HERE
13.3.3 THE MINIMUM LOT FRONTAGE AND MAXIMUM LOT COVERAGE SHALL BE AS INDICATED.

13.4 PERMITTED ENCROACHMENTS



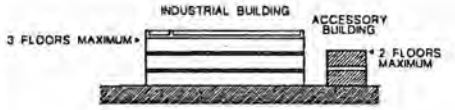
13.4.1 THE DESIGNATED ELEMENTS SHALL BE REQUIRED OR PERMITTED WITHIN THE CROSS-HATCHED AREAS INDICATED HERE.

13.5 PARKING



13.5.1 PARKING SPACES SHALL BE PROVIDED WITHIN THE AREAS INDICATED HERE.
13.5.2 PARKING SPACES SHALL BE NO LESS THAN 2.75m×5.89m WITH ACCESS TO A STREET OR LANE.
13.5.3 MINIMUM PARKING AND LOADING REQUIREMENTS SHALL BE:5 SPACES MINIMUM AND 1 SPACE FOR EVERY 100 SQ. METRES OF GROSS FLOOR AREA OR PORTION THEREOF. FOR USES WITH MORE THAN 200 SQ. METRES OF GROSS FLOOR AREA 1 LOADING SPACE MINIMUM.

13.6 BUILDING HEIGHT



13.6.1 HEIGHTS SHALL BE MEASURED BETWEEN THE FRONTAGE ELEVATION AND THE POINT WHERE THE ROOF JOINS THE BUILDING OR STRUCTURE.
13.6.2 MINIMUM AND MAXIMUM BUILDING HEIGHTS SHALL BE MEASURED IN NUMBER OF FLOORS.

SECTION 6 - HOSPITAL DISTRICT (HD) ZONE

6.1 PERMITTED USES

i) public hospital use;

ii) residential health care facility existing as of January 1, 1987; and,

iii) accessory uses

6.2 PERMITTED BUILDINGS AND STRUCTURES

Buildings and structures for the permitted uses

6.3 LOT FRONTAGE

30 metres minimum

6.4 LOT AREA

0.8 hectares minimum

6.5 FRONT YARD

7.5 metres minimum, except that no building or structure shall be constructed within 40 metres of the centre line of Ninth Line

6.6 SIDE YARD

3.0 metres minimum

6.7 REAR YARD

7.5 metres minimum

6.8 LANDSCAPING REQUIREMENTS

A landscaped open space area with a minimum depth of 9 metres shall be required adjoining Ninth Line, however, access ramps shall be permitted to cross such an area.

SECTION 7 - NATURAL ENVIRONMENT (NE) ZONE REGULATIONS

7.1 PERMITTED USES

i) fish, wildlife and plant conservation use;

ii) recreational nature viewing and related trail use; and,

iii) accessory uses.

7.2 PERMITTED BUILDINGS AND STRUCTURES

i) buildings and structures necessary for flood and erosion prevention and control, and landscape stabilization; and,

ii) accessory building and structures for the permitted uses

SECTION 8 - MAJOR OPEN SPACE (OS) ZONE REGULATIONS

8.1 PERMITTED USES

i) commercial recreation use including a golf course, equestrian club or tennis club use;

ii) fish, wildlife and plant conservation use;

iii) recreational nature viewing and related trail use; and,

iv) accessory uses.

8.2 PERMITTED BUILDINGS AND STRUCTURES

Buildings and structures for the permitted uses including buildings and structures necessary for flood and erosion prevention and control, and landscape stabilization

8.3 LOT FRONTAGE

60 metres minimum

8.4 LOT AREA

0.8 hectares minimum

8.5 FRONT YARD

23 metres minimum, except that no building or structure shall be constructed within 40 metres of the centre line of Highway 7

8.6 SIDE YARD

11.0 metres minimum

8.7 REAR YARD

15 metres minimum

8.8 HEIGHT

11 metres maximum

SECTION 9 - WOODLOT (W) ZONE REGULATIONS

9.1 PERMITTED USES

i) forest and woodlot management use;

ii) activities which enhance and perpetuate existing woodlots;

iii) recreational nature viewing and related trail use; and,

iv) accessory use.

9.2 PERMITTED BUILDINGS AND STRUCTURES

Accessory building and structures for the permitted uses

SECTION 10 - BUFFER (B) ZONE

10.1 PERMITTED USES

i) landscaped open space use;

ii) recreational nature viewing and related trail use; and,

iii) accessory uses

10.2 PERMITTED BUILDINGS AND STRUCTURES

Accessory buildings and structures for the permitted uses

SECTION 11 - HOLDING (H) ZONE REGULATIONS

11.1 PURPOSE

The Holding Zone limits development on lots to which it applies until such time as Council adopts a by-law, in accordance with Section 35 of The Planning Act, RSO 1990, removing the holding symbol. When the holding symbol is removed, the regulations of the use zone which applies to the lot will come into force.

11.2 PERMITTED USES, BUILDINGS AND STRUCTURES

i) any uses, buildings and structures legally existing at the date of adoption of this by-law, including home occupation and accessory uses;

ii) new home occupation uses; and,

iii) new accessory uses and buildings and structures accessory to the permitted uses.

11.3 ENLARGEMENT OR REPLACEMENT OF EXISTING BUILDINGS OR STRUCTURES

Enlargement or replacement of legally existing buildings and structures and the erection of new accessory buildings and structures will be permitted subject to the regulations of the following subsections 11.4 to 11.7.

11.4 LOT AREA AND LOT FRONTAGE

The existing lot area and lot frontage shall not be reduced.

11.5 YARDS

Yards shall not be reduced below a minimum of 1.5 metres.

11.6 BUILDING HEIGHT

9 metres maximum

11.7 REGULATIONS FOR ACCESSORY BUILDINGS AND STRUCTURES

Accessory buildings and structures shall not:

i) be used for human habitation;

ii) be built closer to the front lot line than the main building on the lot;

iii) be located within 1 metre of the side or rear lot line;

iv) exceed 4.5 metres in height; and,

v) exceed 8 percent coverage of the lot area.

SECTION 12 - EXCEPTIONS

Notwithstanding any other provisions of this by-law, the following exceptions to the provisions of the by-law shall be permitted:

12.1 HERITAGE BUILDINGS

12.1.1 Defined area

Zones followed by the letters (HER) on Schedule "A" to this By-law.

12.1.2 Permitted uses, buildings and structures

Uses, buildings and structures existing as of November 1, 1993.

12.1.3 Regulations for the permited uses, buildings and structures

No changes shall be permitted in the existing uses, buildings and structures.

SECTION 13 - DEFINITIONS

In this by-law:

13.1 ACCESSORY BUILDING means a subordinate or secondary building or structure on the same lot as the main building devoted exclusively to an accessory use and is not attached to the main building and may include a garden suite building.

13.2 ACCESSORY USE means a use subordinate and naturally, customarily and normally incidential to a main use of land or building and located on the same lot or a use which is a secondary use on the same lot.

13.3 ALTER means any alteration to the structural component of a building which would result in a change of use, or any increase in the floor space of a building or structure.

13.4 ALTERATIONS, STRUCTURAL shall mean any change in the supporting members of a building such as bearing walls, columns beams or girders and partitions.

13.5 ASSEMBLY HALL means a bulding or part thereof used for the gathering together of a number of persons for charitable, civic, cultural, educational, fraternal, political, recreational, religious, social or like purposes, and for the consumption of food and drink, but not for any commercial purpose.

13.6 ATTIC OR ROOF SPACE means the space between the roof and the ceiling of the top storey or between a dwarf wall and a sloping roof.

13.7 BASEMENT means that portion of a building between two (2) floor levels which is partially underground but has at least one-half (1/2) of its height from finished floor to underside of floor joists of the storey next above, above the established grade and in which the height from established grade to the underside of the floor joists of the storey next above is less than 1.8 metres.

13.8 BALCONY means a platform projecting from the face of a wall, cantilevered or supported by columns or brackets and usually surrounded by a balustrade or railing.

13.9 BLOCK means the smallest unit of land the boundaries of which consisty entirely of public streets, rivers, railroads, public parks or any combination thereof.

13.10 BOARDING, LODGING OR ROOMING HOUSE means a dwelling where lodging is provided in lodging units for more than three (3), but not more than six (6) persons in return for remuneration or the provision of services or both.

13.11 BUILDING means any structure whether temporary or permanent, used or built for the shelter, accommodation or enclosure of persons, animals, materials or equipment. Any tent, awning, bin, bunk, or platform, vessel or vehicle used for any of the said purposes shall be deemed a building.

13.12 BUILDING, ATTACHED means a building otherwise complete in itself, which depends for a structural support, or complete enclosure, upon a division wall or walls shared in common with adjacent building or buildings above or below grade.

13.13 BUILDING INSPECTOR means the officer or employee of the Town of Markham who from time to time is charged by the Corporation with the duty of administering the provisions of the Ontario Building Code and the development standards of the Town.

13.14 BUILDING LINE means a line drawn parallel to the front lot line of a lot at a distance there from equal to the shortest distance between the front wall of the existing building on the lot and the front lot line.

13.15 BUILDING, MAIN means the building in which is carried on the principal purpose for which the building lot is used.

13.16 CARPORT means a building or structure or part thereof, which is not wholly enclosed and is used for the temporary parking or storage of private passenger vehicles.

13.17 CELLAR means that portion of a building between two (2) floor levels which is partially or totally underground but which has more than one-half (l/2) of its height, from finished floor to underside of floor joists of the storey next above, below the established grade.

13.18 CEMETERY means a burial ground or columbarium.

13.19 CLINIC means a building or part of a building used for the medical, dental, surgical or therapeutic treatment of human beings, regularly staffed by two or more practicing physicians, surgeons, dentists or other qualified medical practitioners or by two or more licensed chiropractors or osteopaths, but does not include a public or private hospital or a professional office of one (1) physician, dentist or drugless practitioner located in his/her private residence.

13.20 COMMERCIAL USE means the commercial uses specified as commercial uses in a specific zone and may include office, non-profit and public institutional uses.

13.21 COMMUNITY CENTRE means any tract of land, or building or buildings, or any part of any building used for community activities and the control of which is vested in the municipality, a local board or agent thereof.

13.22 CONSERVATION AUTHORITY means the Metropolitan Toronto and Regional Conservation Authority.

13.23 COUNCIL means the Municipal Council of the Corporation of the Town of Markham.

13.24 CUSTOM WORKSHOP means a building or part of a building used by a trade, craft or guild for the manufacture of made-to-measure clothes or articles and shall include upholstering, repair, refinishing or antiques and other art objects, but shall not include metal spinning, woodworking, furniture manufacturing, a public garage or any servicing, repair or refinishing of motor vehicles.

13.25 DAY NURSERY means a day nursery within the meaning of the Day Nurseries Act, as amended.

13.26 DECK OR PORCH, OPEN means a raised platform that:

(i) is located at the rear of the main building on the lot;
(ii) is constructed of wood except for any structural support members which may be constructed of other materials;
(iii) is level throughout each of its horizontal surfaces except for any steps that may be constructed thereon;
(iv) is more than 0.15 metre above the lowest ground surface along the periphery of the platform; and
(v) is at or below the level of the ground floor.

13.27 DISPENSARY means a floor area accessory and incidental to a professional medical office building where medicinal drugs are dispensed to patients associated with the building and subject to the following provisions:

(i) no access shall be permitted except from the interior lobby of a building;

(ii) outdoor exterior signs advertising the dispensary shall not be permitted; and

(iii) the floor area devoted to these uses per building shall not exceed 5% of the gross floor area or 100m2 whichever is lesser.

13.28 DRUGLESS PRACTITIONER means a drugless practitioner within the meaning of the Drugless Practitioners Act.

13.29 DWELLING means a building containing one (1) or more dwelling units, occupied or capable of being occupied as a home, residence, or sleeping place by one or more persons, including group homes and boarding, lodging or rooming houses but not including tourist establishments, hotels, motels, or apartment hotels.

13.30 DWELLING, ACCESSORY means a self-contained dwelling unit created through converting part of, or adding on to, an existing single detached or semi-detached dwelling, or which forms part of such a dwelling at the time of construction.

13.31 DWELLING, APARTMENT means a building containing three (3) or more dwelling units each of which has an independent entrance through a common vestibule and a common entrance from the street level.

13.32 DWELLING, DUPLEX means a building that is divided horizontally into two (2) separate dwelling units each of which has an independent entrance either directly or through a common vestibule.

13.33 DWELLING, FOURPLEX means a building containing only four dwelling units each of which has an independent entrance either directly or through a common vestibule.

13.34 DWELLING, SEMI-DETACHED means a building that is divided vertically into two (2) separate dwelling units each of which has an independent entrance either directly or through a common vestibule.

13.35 DWELLING, SINGLE DETACHED means a building containing one (1) dwelling unit.

13.36 DWELLING, STACKED TOWNHOUSE means a building that is divided horizontally into six (6) or more separate dwelling units, each of which has an independent entrance at grade level, and each of which may also have additional secondary access through a common corridor or gallery.

13.37 DWELLING, STREET TOWNHOUSE means a townhouse dwelling composed of street townhouse dwelling units each of which has frontage on a public street.

13.38 DWELLING, TOWNHOUSE means a building that is divided into three (3) or more dwelling units, each of which has independent entrances.

13.39 DWELLING, TRIPLEX means a building divided horizontally into three (3) dwelling units each of which has an independent entrance either directly or through a common vestibule.

13.40 DWELLING UNIT means one (1) or more habitable rooms designed or intended for use and occupied by one (1) or more individuals as an independent and separate housekeeping establishment in which separate kitchen and sanitary facilities are provided for the exclusive use of such individual or individuals.

13.41 DWELLING, URBAN VILLA means a mixed commercial residential building with a maximum of four (4) dwelling units.

13.42 ENVIRONMENTAL BUFFER LANDSCAPING means any combination of trees, shrubs, grass or other plants which are intended collectively to provide protection to valleylands adjoining any development with respect to valley slope stability, erosion control and other detrimental impacts of the development.

13.43 ERECT means to build, construct, reconstruct, alter and relocate and without limiting the generality of the foregoing shall be taken to include any preliminary physical operation such as excavating, grading, piling, cribbing, filling or draining, structurally altering anty existing building or structure by an addition, deletion, enlargement or extension.

13.44 EXISTING means existing as of the date of the passing of this by-law or another date which is specified in the bylaw.

13.45 FLOODPLAIN means the area adjoining a river or stream which has been or may be hereafter submerged by floodwaters.

13.46 FLOOR, GROUND shall mean the floor of a building first above the Established Grade.

13.47 FLOOR AREA means the maximum area contained within the outside walls of a building, but excluding car parking areas within the building, and also excluding in the case of a dwelling, any accessory building or structure, including a garden suite building, open porch, deck, verandah, stoop, enclosed walkway, balcony, sunroom, unfinished attic or basement and cellar or other room(s) not habitable at all seasons of the year.

13.48 FLOOR AREA, GROSS means the total of the floor areas of a building above or below grade, measured between the exterior faces of the exterior walls of the building at each floor level, but excluding car parking areas within the building.

13.49 FLOOR AREA RATIO means the gross floor area of all building on a lot expressed as a percentage of the lot area, and for the purpose of this definition the maximum floor area ratio in each zone shall apply only to that portion of such lot which is located within said zone.

13.50 FRATERNAL ORGANIZATION shall mean a non-profit, non- commercial organization which carries on social, cultural and welfare program for the common betterment of the community, with the extent of office accommodation in the building so used not exceeding (1) office for the exclusive use of the management of the organization.

13.51 GALLERY means a building or place used for the display of art, crafts, photographs or other artifacts.

13.52 GARAGE, PRIVATE means an enclosed structure for storage of one or more vehicles, in which no business, occupation, or service is conducted for profit.

13.53 GARAGE, PUBLIC means a building or place other than a private garage where motor vehicles are kept or stored for remuneration or repair or building or place used as a motor vehicle repair shop. This definition shall not include an automatic car washing establishment, a motor vehicle sales lot or an automobile service station.

13.54 GARDEN SUITE BUILDING shall mean an accessary building with its primary access from a lane, which may be used as a dwelling unit, for a home occupation use, or recreation use or other accessory use, in addition to providing a parking space(s) for the lot.

13.55 GOLF COURSE means a public or private area of land operated or the purpose of playing golf and includes a par 3 golf course, driving ranges, miniature golf courses, and putting greens.

13.56 GRADE, ESTABLISHED means the average finished surface elevation at the outside walls of any building or structure, which is arrived at by taking the arithmetic mean of the levels of the finished ground surface at every location of change or grade at those outside walls of the building or structure.

13.57 GRADE, ESTABLISED AT THE REAR WALL means the average finished ground surface elevation at the outside rear main wall of the main building which is arrived at by taking the arithmetic mean of the levelos of the finished ground surface at every location of change of grade along the rear main wall of the main building.

13.58 GROSS WEIGHT, VEHICLE means the combined weight of vehicle and load.

13.59 HEALTH CENTRE means a building or part thereof which is used for the purpose of a gymnasium, exercise room, steam room, sauna, squash courts, tanning bed, swimming pool, massage room or any other use related to physical fitness. A massage room must be associated with at least one other use specifically mentioned above and such massage room must be operated by a professional registered masseur.

13.60 HEIGHT means the vertical distance of a building or structure measured between the frontage elevation and the point where the roof joins the building.

13.61 HEREAFTER shall mean after the date of the passing of any applicable provision of this by-law.

13.62 HEREIN shall mean in this by-law and shall not be limited to any particular section of this by-law.

13.63 HOME OCCUPATION means an occupation which is carried on in a dwelling unit or garden suite building as an accessory use by one or more of its occupants.

13.64 HOSPITAL, PRIVATE means a private hospital as defined by The Private Hospitals Act.

13.65 HOSPITAL, PUBLIC means any institution, building or other premises or place established for the treatment of persons afflicted with or suffering from sickness, disease or injury, or for the treatment of convalescent or chronically ill persons that is approved under The Public Hospitals Act, R.S.O. 1970, Chapter 378, as amended, as a public hospital.

13.66 HOTEL means a building or buildings or part thereof on the same site used to accommodate the public for gain or profit, by supplying them with sleeping accommodation (with or without meals) but without individual private cooking facilities.

13.67 HOTEL, APARTMENT means a hotel except that not more than fifty percent (50%) of the living accommodation therein, according to floor area, may be dwelling units.

13.68 HOUSEHOLD means one or more persons living as a single and independent housekeeping unit in one dwelling unit.

13.69 INSTITUTION means a building or part of a building used for a purpose by an organized body or society for promoting a particular purpose with no intent or profit but shall not include a private club.

13.70 INVERT means the lowest point in the bed of a water course, channel, pipe, drain, or sewer.

13.71 LANDSCAPED OPEN SPACE means open space on lot, unobstructed by buildings, used exclusively for landscaping.

13.72 LANDSCAPING means any combination of trees, shrubs, flowers, grass or other horticultural elements; decorative stonework, decorative paving or other decorative hard surfaces other than asphalt; screening or other architectural elements such as gazebos, fountains and public art; all of which are designed to enhance the visual amenity of a property and/or to provide a screen to mitigate any objectionable aspects that may detrimentally affect adjoining land.

13.73 LANE means a public thoroughfare which provides vehicular access to abutting lots.

13.74 LOADING SPACE means an unencumbered area of land which is provided and maintained upon the same lot or lots upon which the principal use is located and which area:

(i) is provided for the temporary parking of one (1) commercial motor vehicle while merchandise or materials are being loaded onto or unloaded from such vehicle, and such parking shall not be for the purpose of sale or display;

(ii) is suitable for the temporary parking of one (1) commercial motor vehicle;

(iii) is not upon or partly upon any street or lane, and has adequate access to permit egress and ingress of a commercial motor vehicle from a street or lane by means of driveways, aisles, manoeuvring areas or similar areas, no part of which shall be used for the temporary parking or storage of one (1) or more motor vehicles.

13.75 LODGING UNIT means living accommodation which does not include exclusive use of a kitchen or bathroom.

13.76 LOT shall mean a parcel of land fronting on a street, separate in ownership from any abutting land to the extent that the consent contemplated by Section 50 of The Planning Act, R.S.O. 1990 or any amendments thereto or successors or that Section would not be required for its conveyance and shall include a lot laid out according to a registered plan of subdivision.

13.77 LOT AREA shall mean the total horizontal area within the lot lines of a lot.

13.78 LOT, CORNER means a lot, the street line of which is composed to two (2) or more straight lines, or of one (1) or more curves, or of any combination of a straight line or straight lines and a curve or curves, such that the interior angle contained at the intersection of two (2) straight lines produced from the two (2) extremities of the street lines and coincident with or tangent to such street line at such extremities is not greater than one hundred and thirty-five (135) degrees. The corner of a corner lot shall be deemed to be the point on the street line nearest to the above mentioned point of intersection.

13.79 LOT COVERAGE, MAXIMUM means that percentage of the lot area covered by all building above ground level and shall not include that portion of such lot area which is occupied by a building or portion thereof which is completely below ground level, and for the purpose of this definition the maximum lot coverage in each zone shall be deemed to apply only to that portion of such lot which is located within said zone.

13.80 LOT, DEPTH means the horizontal distance between the mid points of straight lines connecting the foremost points of the side lot lines in front and the rearmost points of the side lot lines in the rear.

13.81 LOT FRONTAGE means the horizontal distance between the side lot lines, such distance being measured perpendicularly to the line joining the middle of the front lot line with the middle of the rear lot line and at a point therein 1.8 metres from the front lot line. In the case of a corner lot with a daylighting triangle, the exterior lot lines (street lines) shall be deemed to extend to their hypothetical point of intersection for the purpose of calculating the frontage.

13.82 LOT, INTERIOR means a lot situated between adjacent lots and having access to one (1) street and which may also have access to one (1) lane.

13.83 LOT, KEY means the first lot to the rear of a reversed corner lot and not separated by a lane.

13.84 LOT LINE means the boundary of a lot.

13.85 LOT LINE, FLANKAGE means a side lot line which abuts the street on a corner lot or reversed corner lot.

13.86 NURSING HOME means a nursing home within the meaning of the Nursing Home Act of Ontario, as amended.

13.87 OBNOXIOUS USE shall mean a use which, from its nature or operation creates a nuisance or is liable to become a nuisance or offensive by the creation of noise or vibration; or by reason of the emission of gas, fumes, dust or objectionable odour; or by reason of the unsightly storage of goods, wares, merchandise, salvage, refuse matter, waste or other material.

13.88 PARK, PRIVATE means a park other than a public park.

13.89 PARK, PUBLIC means a park owner or controlled by a Public Authority or by any Board, Commission or other Authority established under any statute of the Province of Ontario.

13.90 PARKING LOT means an open area, other than a street, used for the temporary parking of two (2) or more motor vehicles and available for public use whether free, for compensation or as an accommodation for clients, visitors, customers or residents.

13.91 PARKING, ON-STREET shall include those areas of a street where parking is permitted and shall be calculated assuming a minimum parking space of 3 metres by 6 metres.

13.92 PARKING SPACE means an area exclusive of driveways or aisles, for the temporary parking or storage of a motor vehicle, and which has adequate access to perimt ingress or egress of a motor vehicle to and from a street by means of driveways, aisles, maneuvering areas or similar areas, no part of which shall be used for the temporary parking or storage of motor vehicles.

13.93 PERSON means an individual, association, firm, partnership, corporation, trust, incorporated company, organization trustee or agent, and the heirs, executors or other legal representatives of a person to whom the context can apply according to law.

13.94 PIT means an opening or excavation in, or working of the ground for the purpose of searching for or removal of mineral, rock, soil, sand or gravel and includes as accessory thereto, any roast-yard, smelting furnace, mill work or place used for or in connection with crushing, reducing, smelting, refining, or treating any of the substances listed in this definition and all ways, works, plants, buildings and premises either below or above the ground and belonging to or used in connection with any activities listed in this definition.

13.95 PLACE OF WORSHIP means a building dedicated to religious worship and its accessory uses.

13.96 PORCH, OPEN, see Deck.

13.97 PREMISES means the area of building(s) or part thereof, occupied or used by a business or enterprise. In a multiple tenancy building, occupied by more than one (1) business, each business area shall be considered a separate premises.

13.98 PRIVATE-HOME DAY CARE means the temporary care and custody, for reward or compensation, of not more than 3 children, 12 years of age and under, in a private residence for a continuous period not exceeding 24 hours, except where the person providing the day care service has entered into an agreement with the Regional Municipality of York or a private home day care agency licenced by the Ministry of Community and Social Services pursuant to the Day Nurseries Act in which case a maximum of 5 children shall be permitted; provided also that the total number of chgildren to be permitted in any one day shall not exceed the figures as noted herein.

13.99 PRIVATE HOME DAY CARE AGENCY means a person or agency providing Private Home Day Care at more than one location.

13.100 PUBLIC AUTHORITY means the Governments of Canada or Ontario and their agents and any School Board, Public Utility Commission, Transportation Commission, Public Library Board, Board of Parks Management, Board of Health, Board of Commissioners or Police, or other board or commission or committee of the Town of Markham or the Regional Municipality of York, established or exercising any power or authority under any general or special Statute of Ontario which respect to any of the affairs or purposes of the municipality or a portion thereof, and includes any committee or local authority established by by-law of the Corporation.

13.101 RESTAURANT means an establishment for the preparation and sale of meals served by a restaurant employee to a table located in an area inside or outside the building where the food is prepared and, as an accessory use thereto, such estalishment may offer a take-out service.

13.102 RESTAURANT, FAST FOOD means an establishment for the preparation and sale of meals for consumption both inside and outside the bulding(s) on the premises and as accessory thereto may offer drive-in, take-out, or packaged fast food service.

13.103 RESTAURANT, TAKE-OUT means an establishment where food and beverage are prepared and sold, primarily for delivery to or pick-up by customers for consumption off the premises.

13.104 SATELLITE DISH shall mean a device designed to receive or send communication signals from or to a satellite.

13.105 SCHOOL shall mean an educational establishment.

13.106 SCHOOL, COMMERCIAL means a school of seven (7) or more pupils conducted for gain, including secretarial school, language school, driving school, but shall not include a nursery school.

13.107 SCHOOL, NURSERY means a Day Nursery.

13.108 STOOP or verandah means a raised platform that is located at the front of the main bulding on the lot and which may or may not have a roof, but which is not completely enclosed at the front and sides.

13.109 STREET LINE means boundary line of a street.

13.110 STRUCTURE means anything that is erected, built or constructed of parts joined together with a fixed location on the ground, or attached to something having a fixed location in or on the ground and shall including building, walls, or any sign, but does not include fences or walls which do not exceed 1.8 metres in height.

13.112 SWIMMING POOL means an artificial body of water, excluding ponds, of more than nine square metres (9m2) in area, used for bathing, swimming or diving.

13.113 TOURIST ESTABLISHMENT means a building or buildings which are used to accommodate the travelling public for gain or profit by supplying them of a fully or partially enclosed space or roof, where such members are nearer to a lot line than the said exterior wall.

13.114 VERANDAH see STOOP.

13.115 WALKWAY, ENCLOSED means a freestanding roofed structure enclosing a walkway which is not enclosed, except for screening or glass.

13.116 WALL, MAIN means the exterior front, side or rear wall of a building, and shall include all structural members essential to the support of a fully or partially enclosed space or roof, where such members are nearer to a lot line than the said exterior wall.

13.117 WAREHOUSE means a building where wares or goods are stored, but shall not include a retail store.

13.118 YARD means an open, uncovered space on a lot appurtenant to a building (except as a court) and unoccupied by buildings or structures except as specifically permitted elsewhere in this by-law. In determining yard measurements the minimum horizontal distance from the respective lot lines shall be used. Where a daylighting triangle is provided for a corner lot, the minimum yard requirement from the hypoteneuse of the daylighting triangle shall be the lesser of the yards required along the exterior lot lines (street lines) of the lot.

13.119 YARD, DOOR means an open area, unobstructed from the ground to the sky, located on the same lot with the building it serves and enclosed on all sides except the street side, by the exterior walls of such building.

13.120 YARD, FLANKAGE means the side yard of a corner lot or reversed corner lot which side yard extends from the front yard to the rear yard between the flankage lot line and the nearest main wall, above ground, of the main building or structure.

13.121 YARD, FRONT means a yard extending across the full width of a lot between the front lot line and the nearest main wall, above ground, or any building or structure on the lot.

13.122 YARD, MINIMUM FRONT means the minimum depth of a yard on a lot between the front lot line and the nearest main wall, above ground, of the main building(s) or structure on the lot.

SECTION 14 - ADMINISTRATION AND VALIDITY

14.1 ENFORCEMENT

No permit for the use of land or for the erection or use of any BUILDING or STRUCTURE and no certificate of occupancy or approval of an application for a municipal license within the jurisdiction of the Town of Markham shall be issued or given, where the proposed BUILDING or STRUCTURE or use is in violation of any provisions of this by-law.

14.2 CONTINUATION OF EXISTING REGULATIONS

All by-laws in force within the Town of Markham prohibiting or regulating the use of land or BUILDINGS or STRUCTURES shall be and the same are hereby amended insofar as it is necessary to give effect to the provisions of this by-law and the provisions of this by- law shall govern, provided however, where this by-law does not apply, existing Town by-laws shall remain in full force and effect.

14.3 VIOLATIONS AND PENALTIES

14.3.1 Every person or corporation who uses or alters the use of any land, or uses or alters or erects any building or structure, in a manner contrary to any requirements of this by-law; or who causes or permits such uses or erection or alteration; or who violates any provision of this by-law or causes or permits a violation is guilty of an offence, and every person upon conviction is liable,

i) on first conviction to a fine of not more than $20,000; and,

ii) on subsequent conviction to a fine of not more than $10,000 for each day or part thereof upon which the contravention has continued after the day on which the person is first convicted,

and every corporation on conviction is liable,

i) on first conviction to a fine of not more than $50,000; and,

ii) on subsequent conviction to a fine of not more than $25,000 for each day or part thereof upon which the contravention has continued after the day on which the person is first convicted.

14.3.2 Where a conviction of a person or corporation occurs, the court in which the conviction has been entered or, any court of competent jurisdiction, thereafter, may make an order prohibiting the continuation or repetition of the offence by the person or corporation convicted. Such order may include the removal of a building or structure which contravenes the by-law.

14.4 VALIDITY

Should any section, clause or provision of this by-law be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the by-law as a whole or any part thereof, other than the part so declared to be invalid.

READ a first and second time this day of 1994.

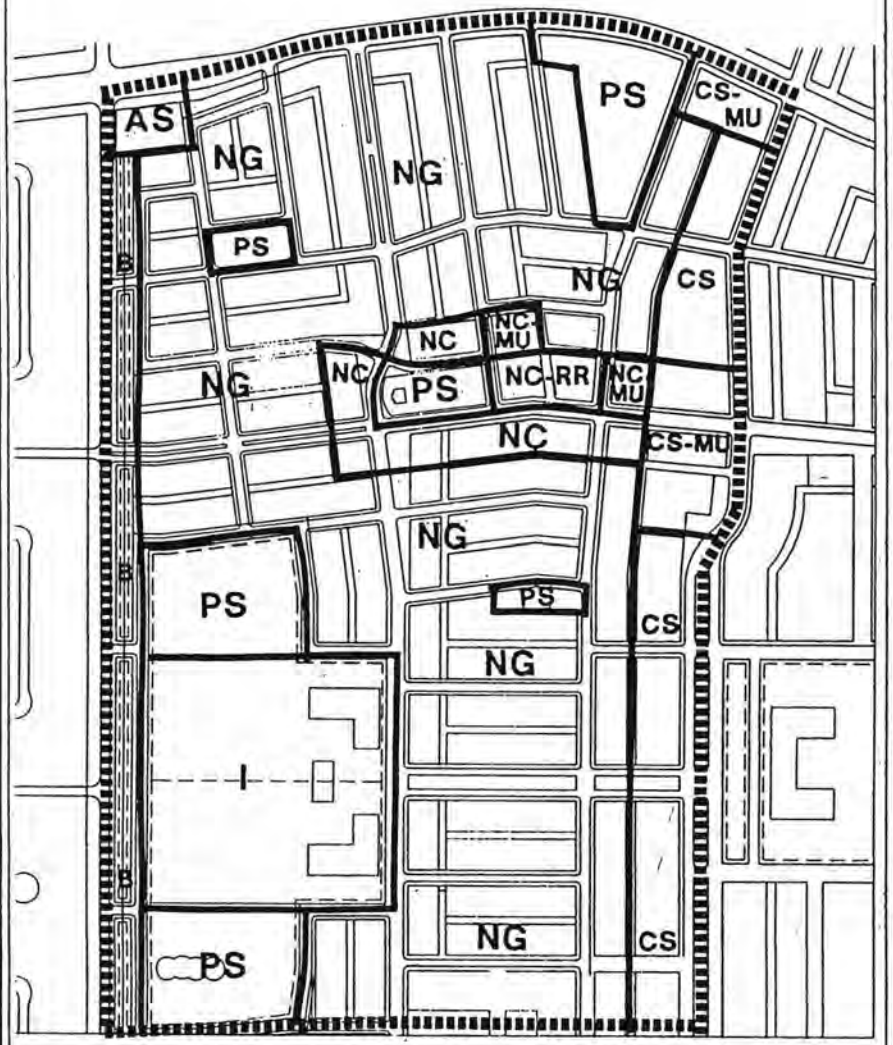
READ a third time and passed this day of 1994.

Mayor

Clerk

TOWN OF MARKHAM

SCHEDULE "A" BY-LAW _____



THIS IS SCHEDULE "A"
TO BY-LAW_____
PASSED THE____DAY
OF_____199__
MAYOR_____
CLERK _____

NG	NEIGHBOURHOOD GENERAL ZONE
NC	NEIGHBOURHOOD CENTRE ZONE
NC-MU	NEIGHBOURHOOD CENTRE-MIXED USE ZONE
NC-RR	NEIGHBOURHOOD CENTRE-REQUIRED RETAIL ZONE
CS	CENTRAL SPINE ZONE
CS-MU	CENTRAL SPINE-MIXED USE ZONE
I	MAJOR INSTITUTIONAL-OPEN SPACE ZONE
PS	NEIGHBOURHOOD PARK-PUBLIC SQUARE ZONE
AS	AUTOMOTIVE SERVICE ZONE
B	BUFFER ZONE
▪▪▪▪▪▪▪▪▪▪	BOUNDARY OF AREA COVERED BY THIS BY-LAW
———	ZONE BOUNDARY

NOTE:
1. DIMENSIONS IN METRES
2. FOR ACCURACY, REFERENCE SHOULD BE MADE TO ORIGINAL BY-LAW LODGED IN THE OFFICE OF THE CLERK